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THE APPROXIMATION RULE:  
EXAMINING AN ALTERNATIVE TO THE “BEST INTEREST OF THE CHILD”  
CUSTODY STANDARD

A thesis submitted in partial fulfillment of the requirements for the degree of Master of  
Science in Psychology at Virginia Commonwealth University.

by

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May, 2009

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## Abstract

### THE APPROXIMATION RULE: EXAMINING AN ALTERNATIVE TO THE “BEST INTEREST OF THE CHILD” CUSTODY STANDARD

By Elizabeth M. Archer

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Science at Virginia Commonwealth University.

Virginia Commonwealth University, 2009

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While the Best Interest of the Child (BIOC) standard has been used since the 1970's, alternatives such as the Approximation Rule have recently been proposed to remediate perceived weaknesses in BIOC. This study examines the applicability of the Approximation Rule using cross-sectional data collected from 517 children (age 10-18) of divorced parents using the Co-Parenting Behavior Questionnaire (CBQ). Data for all co-parenting and parenting variables ( $n = 517$ ) were analyzed to determine relationships by time since divorce and custodial relationship. Physical custody was associated with significant differences in children's ratings of both co-parenting and parenting effectiveness. Results for time since divorce revealed only one significant relationship with all divorcing parents showing significant decreases in ratings of inter-parent conflict over time with the most substantial reductions occurring 5 years after the separation.

Findings were then used to measure the accuracy of the assumptions in both the Approximation Rule and in BIOC.

## Introduction

Judicial determination of child custody in high conflict divorces has long been a complex, and sometimes subjective, process for the courts. The Best Interests of the Child (BIOC) is the most-often used standard employed in custody decisions. Critics argue that BIOC employs subjective methodology which may contribute to the subjective nature of the decision making process and suggest that other methods of deciding custody allocation be developed. The “Approximation Rule” is one strategy that has been proposed to simplify the often-criticized, decision-making process inherent in BIOC. The concept underlying the Approximation Rule is that pre-divorce parenting roles determine the post-divorce custody decision. Some argue, however, that the Approximation Rule is founded on faulty suppositions. It assumes that parenting does not evolve to meet changing demands and that attachment relationships do not change over time.

If the BIOC standard is to be replaced, its underlying assumptions, its strengths and its limitations, must first be understood. We must also understand the elements of any proposed alternative standards. The BIOC is based on the consideration of the evolving needs and environment of the child. The Approximation Rule is based on Attachment Theory and, in contrast to BIOC, considers the past to be the primary and most important determinant of the future parenting behaviors.

If decision-making in child custody disputes is to evolve, further study must be conducted on the factors most useful to effective decisions. To aid in this process, the strengths and weaknesses of existing and alternative standards must be understood and

the validity of their assumptions must be tested. While BIOC allows for change and evolution in parenting practices, a central assumption underlying the Approximation Rule is the hypothesis of continuity and immutability of parenting roles over time. Current empirical research has not examined the potential influence of past parenting patterns on future ones. It is critical that these relationships and assumptions be subject to empirical, scientific investigation. The purpose of this study is to evaluate the application of the Approximation rule by examining between group differences in parenting at several times in the Divorce Adjustment Process.

#### The Court and Child Custody Decisions

Most states use the BIOC as the framework for considering contested child custody and visitation decisions. It has been used in almost all jurisdictions in the United States since the 1970's and is seen by the majority of professionals to be responsive to the individual needs of children and families involved in litigation (Dewart, 2006). In essence, BIOC states that judicial determinations should be based on the child's future best interests (Elrod & Spector, 2004). The Marriage and Divorce Act (1979) lists several additional factors that have been adopted by most states. They are:

- "The wishes of the children's parent or parents as to their custody,
- The wishes of the child regarding their custodian,
- The interaction and interrelationship of the children and their parent or parents, their siblings, and any other person who may significantly affect the children's best interest,
- The children's adjustment to their home, school and community, and

- The mental and physical health of all individuals involved.”

(Emery, Otto & O’Donohue, 2005)

Some social scientists find fault with the current system and consider the standard to be vague. These critics argue further that this resultant ambiguity “(a) encourages parents to enter into custody disputes [thereby increasing parental conflict], because the outcome of a court hearing is difficult to predict; and (b) allows for bias to intrude in the exercise of judicial discretion” (Emery, Otto & O’Donohue, 2005, p. 5). These critics further note that differences in states’ statutes and unique interpretations of BIOC remain the rule because child custody determination is considered to be a state and not a federal matter. Wide variations in interpretation across states result in jurisdictions being able to uniquely and individually define what constitutes the “Best Interest of the Child” (Emery, et al. 2005).

Scott (1992), the architect of the Approximation Rule, stated that “the Best Interest of the Child standard, on its face, masks the importance of the parents’ role in caring for the child during the marriage – anything a judge finds important to the child’s welfare may decide custody, from parental religious preferences to lifestyle practices” (p. 2). While BIOC allows for multiple factors to be considered by the courts, it does not mandate which should be considered the most important due to its open ended nature (Kelly & Ward, 2002). Opponents claim that BIOC dilutes the importance of past parenting involvement in the custody decision because it takes into account numerous additional variables (Scott, 1992). In contrast, others argue that BIOC’s open-ended



nature is one of its strengths because a rigid formula has the potential to tie the Court's hands. These supporters believe that an open ended statute, such as BIOC, allows the court to be able to consider each case based on its own unique set of variables (Executive Secretary of the Supreme Court of Virginia, 2000). In fact, studies of Virginia judges have demonstrated that all of the factors covered under BIOC were equally significant because they could be critical to any specific case (Executive Secretary of the Supreme Court of Virginia, 2000).

The BIOC standard has been unable to make custody assignments equally available to fathers. In the 1980's, fathers' rights groups began to lobby to enact state laws which would favor joint custody (Scott, 1992). It was believed that this would more accurately represent the roles of parents pre-divorce, as well as supporting a societal commitment to shared parental responsibility (Scott, 1992). However, it has been shown that these changes made in custody laws have not, in fact, translated into increased paternal custodial roles (Scott, 1992). The failure of BIOC to address the inequality seen in child custody decisions has been a major source of tension for early Approximation Rule advocates such as Scott. The basis for the complaint is that it appears similar to the tender years proposition (i.e., young children are better placed with their mothers) and is a gender biased factor in rendering decisions in child custody cases (Scott, 1992).

#### Proposed Solution: The Approximation Rule

The Approximation Rule was conceived as a possible alternative to the "Best Interest of the Child Standard." In it, the amount of time each parent devoted to childcare prior to their separation and divorce determines the assignment of post-

separation and divorce roles (Riggs, 2005; Scott, 1992). Theorists who support the Approximation Rule believe that this will typically mirror the preferences of the parents and promote stability and continuity for the child (Scott, 1992). Some believe that the Approximation Rule “reconceptualizes post-divorce relationships as a continuation of the intact family” (Scott, 1992, pp. 5). Thus the Approximation Rule is less likely to be disruptive to the child as well as being able to mitigate some of the stress involved in custody disputes and possibly reinforce the current family ties (Scott, 1992). In essence the Approximation Rule will examine only factual evidence regarding past caretaking responsibility in order to determine future allocation of time and decisional authority between the parties (Scott, 1992).

In 2004, the American Law Institute (ALI) proposed the use of the Approximation Rule as a possible reform in child custody cases in its *Principles of the Law and Family Dissolution*. The ALI, like Scott, proposed that the Approximation Rule be used in an effort to replace the BIOC in order to “develop clear and uniform standards for the allocation of custodial responsibility” (Riggs, 2005 p. 481). Clearly, the primary theory underlying the Approximation Rule is that, when parenting is involved, the past is prelude to the present and future. Current and past parenting may be a strong indication of future parenting, in terms of both time invested in, and strength of, the relationship between child and parent. However, these latter assumptions have yet to be examined in empirical research.

The ALI has hypothesized important benefits that are derived from the implementation of the Approximation Rule in child custody and visitation disputes as follows:

1. Time spent parenting provides a proxy for “difficult to measure qualitative factors such as the strength of parent-child ties and parental competency” (p. 602).
2. The Approximation Rule promotes stability of parent-child relationships.
3. Implementation of the Approximation Rule would simplify and expedite custody decisions.
4. A pattern of future parenting is established by taking into account the patterns that parents have established in the past. The ALI asserted that because these decisions were mutually agreed on in the past, they represented the parents’ beliefs about the most beneficial arrangement for the children.
5. Use of this principle will reduce the incidence of custody litigation by making the outcome more predictable.
6. BIOC is gender biased, and the Approximation Rule will offer a gender-neutral criterion by which to determine custody.

The use of this standard will reduce the amount of intrusion of the state into family matters (Warshak, 2007).

#### Attachment Theory and the Approximation Rule

Approximation rule supporters indicate that the Approximation rule is based on attachment theory, which suggests that it is important for a child’s development to

maintain secure relationships with their significant caregivers. Attachment theory is based in part on the idea that reciprocal proximity seeking, i.e., the desire to be close to one another, between parents and children is biologically “hard wired” in order to increase chances of survival (Bowlby, 1969; 1980; Riggs, 2005). Bowlby pointed out that this “hard wired” relationship is reciprocal “in the ordinary course of events, if the parent of a baby experiences a strong urge to behave in certain typical sorts of ways, for example to cradle the infant, to soothe him when he cries, to keep him warm, protected, and fed (Bowlby, 1988 pp. 4-5).” If caregivers act as a “secure base” for the child then the child will develop a sense of security and will feel uninhibited enough to explore his or her world and to develop more adaptive behaviors (Ainsworth, Blehar, Waters & Wall, 1978). Children who are “securely attached” are able to use their caregiver as a secure base for exploration; these individuals are able to balance exploration with proximity seeking. (Riggs, 2005). Bowlby (1988) describes the development of a securely attached child as:

“[T]he provision by both parents of a secure base from which a child or an adolescent can make sorties into the outside world and to which he can return knowing for sure that he will be welcomed when he gets there, nourished physically and emotionally, comforted if distressed, reassured if frightened. In essence this role is one of being available, ready to respond when called upon to encourage and perhaps assist, but to intervene actively only when clearly necessary.” (pp. 11)

However, if the caregiver does not show sensitive, consistent and reliable care or if a previously secure attachment relationship is lost, children may develop patterns of anxiety and distrust (Riggs, 2005). These lifelong problems can, at extremes, lead to the development of severe adjustment disorders later in life. Insecurely attached children are generally divided into two categories; insecure-avoidant and insecure-ambivalent (Riggs, 2005). Both of these categories are defined by disordered proximity seeking: in the case of the insecure-avoidant child, this is a lack of proximity seeking behavior; while in the insecure-ambivalent child, exploration is often inhibited by proximity seeking (Riggs, 2005). In order for children to form secure attachments they must perceive their caregiver as available, responsive, and reliable (Kilmann, Carranze & Vendiamia, 2005). If children are exposed to caregivers who do not meet these criteria they may begin to question their self-worth and to become distrustful of others (Kilmann, et al., 2005).

Much of the theory of Attachment deals with the idea that through their care children are learning to behave in different ways, and that these patterns of behavior will continue on into adulthood (Ainsworth, 1979; Karen, 1990). Attachment theory indicates that children are developing strategies to deal with different types of parenting. The ambivalent child is working to try to influence the caregiver. This child is constantly trying to elicit care giving behaviors from the parent. The child is inconsistently reinforced for this behavior since the mother does on occasion come through for the child. Thus, the ambivalently attached child is constantly trying to force the mother to behave in certain ways and then punishing her when she does not (Karen, 1990). The avoidant child behaves much differently, having been hurt by the rejection of the mother,

the child no longer reaches out for comfort, becoming fiercely independent (Karen, 1990). Most importantly when the needs of the child are not met by proximity seeking then the child is forced to meet their physical and emotional needs in other, often maladaptive ways. Thus a child's attachment style refers to the "systematic pattern of relational behaviors that result from internalization of a particular history of attachment experiences (Mikulincer & Shaver, 2005, pp. 150).

One of the most influential events in a child's life is a disruption in their family unit. Thus, it can be theorized that this type of stressful event may be one of the factors that could influence a change in the child's attachment style (Lewis, Feiring & Rosenthal, 2000). Emery (1999) found that parental divorce may be particularly problematic for younger children. In light of these findings it is clear that the Approximation Rules focus on the Attachment relationship between parent and child is placing emphasis on an important variable in child development.

#### Discrepancies between Attachment Theory and the Approximation Rule

Current attachment literature postulates that it is not the strength and duration of attachment per se, but the type of attachment that is crucial to development, a perspective not accounted for by the Approximation Rule (Riggs, 2005). The Approximation Rule views time spent engaging in parenting activities as the only important variable for child custody decisions and therefore, by proxy, for the development of strong and healthy attachment relationships (Riggs, 2005). This difference in theoretical view on the mechanism (time versus quality) that is essential to developing a healthy attachment to a parent may be viewed by some as a weakness of the Approximation Rule. Due to this

apparent weakness, the general opinion among attachment theorists is that Approximation Rule does not accurately represent the central tenants of Attachment Theory (e.g., Riggs, 2005).

The Approximation Rule may conform to the some of the tenants of attachment theory in that it underscores the importance of the caregiver or multiple caregivers, and the recognition of the importance of consistency in the development of the attachment relationship (Kelly & Ward, 2002). However, there are also serious shortcomings in the fit between attachment theory and the Approximation Rule. Attachment theory is based on the type of attachment that a child has to a parent in combination with the total amount of time spent between child and parent. The Approximation Rule does not allow for a judge to consider the type (secure, insecure, avoidant) of relationship that the child has with the caregiver. Instead, the Approximation Rule only looks at time spent engaging in care taking activities (except in extreme cases such as those involving neglect or abuse) (Kelly & Ward, 2002). In addition to not taking into account the type of relationship between parent and child, the Approximation Rule is based on the unproven assumption that parenting in the past will predict parenting in the future. These discrepancies between attachment theory and the Approximation Rule represent potentially serious short comings in attempting to apply the Approximation Rule to child custody and visitation decisions.

#### Weaknesses in the assumptions underlying the Approximation Rule

The Approximation rule is “based on erroneous assumptions that are not supported by the developmental literature” (Riggs, 2005, p. 481). Most of the

hypothesized benefits have either not been empirically tested or have limited support. We shall individually review each of ALI's seven points in the following paragraphs in order to better understand their potential weaknesses.

**Provides a proxy:** Time spent parenting, contrary to ALI assertions, does not always indicate the quality of the parenting, and is not an effective and reliable index of the attachment relationship (Riggs, 2005; Ainsworth, Blehar, Waters & Wall, 1978; Kilmann, Carranza & Vendiamia, 2005). For example,

“A boy may have a strong tie and close identification with a father who treats the mother with violence and disrespect. Children who are regularly and brutally beaten by their parents usually have very strong and tenacious attachments to these parents. When offered a choice between removal from their home or remaining in the abuse environment, many children will choose to remain with the abuser. The strength of the child's attachment to the parent, by itself, is a poor index of the quality of the relationships, and competence of that parent, or the ability of that parent to meet the child's current and future needs.” (Warshak, 2007, p. 608)

Another less extreme and more common example is a boy who is strongly attached to his father who works outside of the home 40-50 hours a week. When the father comes home, he is engaged with the child in the limited time that he and the boy can share before the child goes to bed. This father, while clearly a good parent with a strong attachment relationship with his son, may be punished by the Approximation Rule because of his work schedule. Clearly time is important to the development of attachment; however,



there are other very important factors which help to determine a secure attachment (Riggs, 2005).

The Approximation Rule only takes into account “time spent with the child” and “continuity or consistency in a child’s life,” ignoring other important features of the attachment relationship (Riggs, 2005). In its original proposal, the Approximation Rule explicitly states that “quality of care, depth of attachment, and potential capacity to provide care is irrelevant under the approximation approach” (Scott, 1992, pp. 8). If only time and consistency matter to a child’s development, then custody could be awarded to babysitters, daycare providers, or teachers (Riggs, 2005). It is the quality of the relationship, the emotional attachment, and the meeting of the child’s needs that are the most important aspects to developing a secure attachment between a caregiver and child (Riggs, 2005).

**Promotes Stability:** The ability of the Approximation Rule to promote stability in the attachment relationship for children who are experiencing parental divorce is one of the main discrepancies between the Approximation Rule and attachment theory. Instability in the family unit often results from times of high stress. In general, continuity is not the norm for individuals from high risk environments. This is especially true when there are alterations in the family environment that affect the relationship with one or more caregivers (Riggs, 2005). Changes in attachment are often associated with parental loss, such as those changes associated with parental divorce (Riggs, 2005).

While the Approximation Rule attempts to account for these changes by maintaining the amount of post divorce time spent with the caregiver, courts are unable to

control changes in the *quality* of care giving provided by the parent due to increased parental stress. The first year after divorce can be especially problematic for parents and children due to increased stress placed on parents by economic, emotional and social adjustments (Cohen & Finzi-Dottan, 2005). In effect, the Approximation Rule assumes that parenting ability before divorce will predict parenting ability after divorce, an assumption that has not been empirically validated. Further, it can be logically inferred that changes created by the divorce will have effects on parenting post divorce, potentially rendering previous parenting patterns ineffective.

Parenting in the period directly after divorce has been found to be severely impaired by the marital dissolution and its sequelae. Parents become less authoritative in the period of time directly following separation and divorce (Hetherington, 2003; Amato & Gilbreth, 1999). During this post divorce period, parents are more likely to be irritable, show less affection, use harsher punishments with their children, and to be less able to communicate effectively (Amato & Cheadle, 2005; Hetherington, 1993). Thus, parenting in divorce is not a stable construct, although study results also show immediate post-divorce parenting deficiencies typically improve over time after divorce as the custodial parent adjusts to his/her new responsibilities (Hetherington, 2003; Stolberg, Kiluk & Garrison, 1986).

The Temporal Stages of Divorce Adjustment model developed by Stolberg, Kiluk and Garrison (1986) is one of the strongest supports for the concept that past parenting does not fully predict future parenting. Stolberg and colleagues developed a model for the process of divorce adjustment in order to aid in the clarification of processes that lead

to problematic patterns and also to help facilitate increased adaptive functioning. This model indicates that parenting over time will fluctuate as a function of the anticipatable, stage/time related demands of the divorce adjustment process (Stolberg et al., 1986). For instance, parenting in the Separation Stage (the time from separation to 1 year post separation) is defined by a distinct reduction in attention provided to children, as parents deal with their own anger and depression associated with the change in the family unity (Stolberg et al., 1986). This period ends with the beginning of the Adjustment Stage, in which parenting ability generally begins to return to pre-separation quality as parents adjust to their new lifestyle and are able to spend more time engaging with their children. In this case, the model can be seen as a strong example of the changes that occur in parenting behavior as an effect of divorce. The model by Stolberg and his colleagues stresses that important and problematic changes occur in the family structure at times of high stress which may affect future family dynamics and that it is crucial to examine the exact impact of divorce on the parent-child relationship.

**Simplifies:** The Approximation Rule has been put forward as a simplification of the BIOC standard. While the Approximation Rule is less complicated than BIOC, adopting the former is not necessarily a positive change. Simplification of complex issues does not inherently constitute improvement. Under the Approximation Rule, parents' prior relationship with the child receives primary consideration. However, prior relationship is only one of numerous considerations or criteria that a judge should weigh when making a custody decision. Based on the conclusions of the Volunteer Lawyers Project in 2007, these considerations include:

- “The age of the child;
- The relationship of the child with the child's parents and any other persons who may significantly affect the child's welfare;
- The preference of the child, if old enough to express a meaningful preference;
- The duration and adequacy of the child's current living arrangements and the desirability of maintaining continuity;
- The stability of any proposed living arrangements for the child;
- The motivation of the parties involved and their capacities to give the child love, affection and guidance;
- The child's adjustment to the child's present home, school and community;
- The capacity of each parent to allow and encourage frequent and continuing contact between the child and the other parent, including physical access;
- The capacity of each parent to cooperate or to learn to cooperate in child care;
- Methods for assisting parental cooperation and resolving disputes and each parent's willingness to use those methods;
- The effect on the child if one parent has sole authority over the child's upbringing;
- The existence of domestic abuse between the parents, in the past or currently, and how that abuse affects:
  - The child emotionally; and
  - The safety of the child;
  - The existence of any history of child abuse by a parent;
- All other factors having a reasonable bearing on the physical and psychological well-being of the child;
- A parent's prior willful misuse of the protection from abuse process in chapter 101 in order to gain tactical advantage in a proceeding involving the determination of parental rights and responsibilities of a minor child. Such willful misuse may only be considered if established by clear and convincing evidence, and if it is further found by clear and convincing evidence that in the particular circumstances of the parents and child, that willful misuse tends to show that the acting parent will in the future have a lessened ability and willingness to cooperate and work with the other parent in their shared responsibilities for the child. The court shall articulate findings of fact whenever relying upon this factor as part of its determination of a child's best interest. The voluntary dismissal of a protection from abuse petition may not, taken alone, be treated as evidence of the willful misuse of the protection from abuse process;
- If the child is under one year of age, whether the child is being breast-fed; and
- The existence of a parent's conviction for a sex offense or a sexually violent offense as those terms are defined in Title 34-A, section 11203.” (The Volunteer Lawyers Project, 2007, <http://www.ptla.org/vlp/child.htm>)

While the use of the Approximation Rule does simplify the court's decisions, it may interfere with the Court's opportunity to make an informed decision regarding the case based on a comprehensive assessment of a variety of important factors. Judges' decisions, when based on the BIOC standard, tend to be consistent with the psychological factors known to be influential on children's post divorce adjustment (Executive Secretary of the Supreme Court of Virginia, 2000). The BIOC also is generally consistent with the American Psychological Association (1994) standards for child custody evaluations. These latter standards encompass the following factors: 1. the child's needs; 2. the parents' abilities; and 3. the goodness of the fit between these factors as the priorities in child custody decisions. This weighting scheme emphasizes the evaluation of complex psychological factors in determining what is in the best interests of the child and not what is *easy for the Court*.

**Parental decisions:** The ALI theorizes that decisions made during a period of separation and divorce often do not reflect parents' best decision making. While this observation may often be accurate, deferring to previous parenting arrangements may make permanent decisions which were intended to be temporarily and transitional (Warshak, 2007). For example, caretakers often make decisions regarding the distribution of responsibility that are to be re-evaluated in the future. Often, divorce occurs before subsequent modifications can be made, making the status quo a potentially permanent arrangement. Further, most families will opt to keep the primary wage earner working, leaving the parent who earns less at home with the children (Warshak, 2007). Paradoxically, ALI recommends allowing families to modify financial agreements

because the circumstances after a divorce may differ greatly from those during the marriage, however, ALI does not allow for the same types of reasonable changes to be made in parenting responsibilities (Warshak, 2007).

**Reduces the incidence of custody litigation:** There is little reason to believe that “predictability in outcome [of custody decisions] will reduce the incidence of litigation” (Warshak, 2007, p. 603). Further, advocates of ALI presented no evidence to support the theory that the ambiguity in BIOC encourages litigation in custody disputes (Warshak, 2007). Indeed, greater simplicity and/or predictability could also be viewed as increasing litigation by encouraging parents to enter custody disputes because they view the outcome as more predictable and controllable. Therefore, there is little empirical support for the claim that custody litigation would be reduced by the use of the Approximation Rule. Moreover, the main priority of the courts is making informed decisions about child custody, not simply reducing the amount of litigation in custody disputes.

**Offers a gender-neutral criterion:** The ALI does not adequately support its claim that BIOC is a gender biased standard. While it is accurate that the adversarial nature of the courtroom, along with higher levels of judicial discretion, leave open the possibility of accusations of gender bias on the part of some courts, BIOC as a whole does not have a “built in” gender bias. In fact, parents’ gender as a determining factor in custody is neither an implicit nor explicit element of the BIOC standards. More importantly “[A]lthough presented as a gender-neutral standard, the [Approximation] rule results in a maternal preference similar to that of the tender years presumption”

(Warshak, 2007, p. 604). This assertion of gender bias rests on data showing that “the reality is that among heterosexual couples in Western society, it is much more common for a woman than a man to remain home for the purpose of child rearing” (Riggs, 2005 p. 489). This pattern is based on differential earning between women and men in the West (Riggs, 2005). The assumption of ALI that the Approximation Rule is more gender-neutral than BIOC is not only inaccurate, but is most likely opposite of the reality of gender bias inherent in the two standards.

**Reduces intrusion of the State:** The State has no authority to intrude into the functioning of an intact family (other than in extreme cases, such as abuse or neglect). However, once a divorce or separation evolves into a contested custody issue, the State has authority to define parental rights including small details of the parent child relationship such as the frequency and duration with which a parent can call their child, visit them, or attend the child’s school play. No change in the standard used for making custody decisions can change intrusion into the family. Additionally, by engaging in litigation parents allow the State the right to define their parental rights.

#### Past parenting’s predictive power

Past parenting’s predictive value in accounting for future parenting is one of the main questions introduced by the Approximation Rule. The ALI takes a static view on family relationships and the quality of parenting by relying on past parenting to guide decisions about the present and the future (Warshak, 2007). The main limitation of this rigid view is that it does not consider the important changes in organization and responsibilities that frequently occur in most families as children get older, and in

divorcing families as the impact of the marital dissolution effects family dynamics and parenting roles. Further, the relationship between child and caregiver is often subject to increased strain because children may also act out to deal with their anger and distress (Cohen & Finzi-Dottan, 2005).

Parents who devoted the most time to parenting activities pre-divorce may be less equipped to maintain this level of resource and time commitment because they will lose the marital, fiscal, and emotional support system that had previously made their parenting relationship possible. Studies have found that “fathers, whom the Approximation Rule would not typically consider primary caretakers prior to divorce, do as well as mothers in the role of custodial parents and so do their children” (Warshak, 2007, p. 606). The amount of contact prior to divorce is not a good predictor of the amount of contact post-divorce due to three factors: (1) many mothers reenter the workforce or work longer hours away from home after a divorce, (2) the children are older and, therefore, will spend more time at school interacting with peers, and (3) the father may now be able to interact with the children apart from the tense marital relationship which theoretically may keep men away from home (Warshak, 2007).

*Statement of the Problem:* The foundation of the Approximation Rule is the assumption that in terms of parenting, the past is prelude to the future. It assumes that parenting patterns are relatively static regardless of the demands placed on the parents across time. The assumption that past relationships exclusively determine future relationship is probably faulty. Parenting roles evolve, and in fact, much of the literature on parenting and co-parenting suggests that parenting changes significantly in the period



directly following separation and divorce (Stolberg et al., 1986). Stolberg et al. (1986) proposed that there are several stages in the process of adjustment to divorce. These stages may create significant changes in the parent child relationship due to changes in adjustment and coping for both parents and children. Because of the Approximation Rule's assumptions regarding continuity of parenting patterns are critical to evaluating this basis for rendering custody decisions, the present study will focus on investigating the validity of this issue, however all results must be interpreted with caution due to the cross sectional nature of the data set.

*Hypotheses:* In addressing this research question, it is anticipated that time post separation, and amount of custodial contact based on physical custody will be found to be important factors that significantly affect children's ratings of parental characteristics. Gender of the parent will be separated out due to small cell sizes for certain custody groups. There is no current empirical research investigating gender of the parent and the relationship between the child and parent after divorce, therefore all hypotheses are based on theoretical differences prevalence of custodial statuses between fathers and mothers. Time post separation will be used for a between groups analysis based on the research of Stolberg et al (1986) which theorized that time post divorce will have demonstrate between group differences in parenting ratings based on the stages of divorce adjustment. The stages of divorce will be divided as follows: Stage 1: one year or less since separation, Stage 2: 1-2 years since separation, Stage 3: 2-5 years since separation, Stage 4: 5 years and longer. Lastly amount of custodial contact will be used because of its central nature to the Approximation Rule. Since the Approximation Rule proposes to

decide custody based on the amount of time that the parent spent with the child prior to divorce, this variable will be central to supporting or refuting the application of the Approximation Rule. While intuitively parenting behaviors should vary based on custodial status there is little empirical research to support or refute this hypothesis. The hypothesized, specific characteristics of these relationships are listed below.

1. There will be both between groups main effects and interaction effects for time post divorce, and amount of current custody allocated to the parent on parental ratings by the children. These effects will be evident when evaluated in a cross-sectional data set.
2. It is hypothesized that gender of the parent will show different patterns of parent ratings.
3. Gender of the parent is also theorized to have show different trajectories over time based on the amount of custody Mothers at time one are hypothesized to show lower parenting ratings, mother at time two, three and four are expected to have higher parenting ratings with the assumption that mothers will have primary custody in the large majority of cases. Fathers at time one are predicted to have low parent rating scores, fathers at time two and three are expected to have higher parent rating scores, and fathers at time four are expected to show a decline in parent rating scores. This relationship is predicted based on fathers having less custody and visitation rights post separation in all groups.

4. It is also hypothesized that parents with full or shared custody will have higher parent ratings than parents with secondary physical custody.

It is important to note that any significant findings will represent between group differences, and not necessarily a reflection of discontinuity over time. However, significant findings could suggest the existence of discontinuity in the parent child relationship over time.

## Methods

### *Participants*

Participants were family members of undergraduate students who participated to satisfy the undergraduates' psychology course requirements at a mid-Atlantic public university. The study included three hundred and nine girls and two hundred and eight boys ( $N = 517$ ), who ranged in age from 10-18 years (mean age 14.8 years, 19% age 10-12, 32% age 13-15, and 49% age 16-18) with divorced biological parents. This represented an 86% response rate of the original 600 surveys distributed. Further, one of each of the children's biological parents participated (422 mothers and 96 fathers). Participants were not compensated for their participation.

Parents reported that the children came from a wide variety of ethnic backgrounds (319 Caucasian, 147 African-American, 11 Hispanic, 6 Middle Eastern, 4 Asian, and 30 Multi-racial). The majority of parents reported that the mother had sole legal custody of the child (53%). Less than half of the parents had joint legal custody (40%) and only 7% reported that the fathers had sole legal custody. Parents also reported mothers as having sole physical custody in the majority of cases (74%), with 15% of parents sharing joint physical custody and only 10% of fathers reported as having sole physical custody.

Parents further reported that while men in general had less custody than women, the percentage of men who had primary physical custody did not change much over time. During the first year after divorce only 1 man reported having full or shared custody of his children while 7 women had primary physical custody. For individuals who had been separated or divorced for 1-3 years, men reported having primary physical custody in 7

cases and shared custody in 17 cases, while women had custody in 63 cases. During the period of 3-5 years post divorce or separation, parents reported that fathers had primary physical custody in 11 cases, shared custody in 25 cases and mothers had primary physical custody in 90 cases. During the period of 5-15 years post divorce, fathers had custody in 31 cases; shared custody in 33 cases and mothers had custody in 220 cases. Please see Table 1.

### *Measures*

*The Co-Parenting Behavior Questionnaire.* The Co-Parenting Behavior Questionnaire (CBQ) was developed to assess post divorce parenting and co-parenting behaviors of both parents as perceived by the affected child or children (Mullet & Stolberg, 1999). The CBQ consists of three clusters of questions which make 12 subscales: 4 mother-parenting factors, 4 father-parenting factors and 4 parental interaction factors for a total of 86 items. Each of the three clusters contains four subscales measuring one of eight constructs that are operationally defined for parenting as monitoring, discipline, warmth, and parent-child communication and for post-divorce co-parenting behavior as triangulation, inter-parent communication, inter-parent conflict, and inter-parent respect/cooperation (Macie & Stolberg, 2003). For all of the subscales higher scores indicate a more positive evaluation by the child. All of the sub-scales will be used as they all apply to the research question and will provide the most detailed information regarding parent and co-parent ratings. Each of the items is presented on a five point Likert scale, with possible responses ranging from *almost never* to *almost always*. Children are asked to indicate their parent ratings for the last two months. Raw

Table 1

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*Frequencies by parent gender, custody status, and time period since initial separation*  
Time since initial separation

	<u>0-1</u>	<u>1-3</u>	<u>3-5</u>	<u>5-15</u>
Fathers				
Full	1	7	11	31
Joint	0	17	25	33
None	7	63	90	220
Mothers				
Full	7	63	90	220
Joint	0	17	25	33
None	1	7	11	31

---

score values for each of clusters are converted to  $t$  values (Schum & Stolberg, 2007).  $T$ -scores were derived in one study through the development of a random sample of age-appropriate children of divorce. The distributions of each of the scale scores were then converted to  $t$  scores with a mean of 50 and a standard deviation of 10. The CBQ has demonstrated adequate internal consistency. The 12-dimension factor structure created was maintained based on the eigen value loadings ranging from .55-.88. Internal consistency for each subscale resulted in alpha coefficients ranging from .60-.93 with a mean of .8 (Mullett & Stolberg, 1999).

*Demographics Questionnaire.* As well as collecting a child report measure, parents completed a 17-item demographic questionnaire. This assessed information such as age, gender, and ethnicity of the parent, as well as issues regarding the divorce (time since divorce, age of child at separation, legal/physical custody, frequency of litigation in custody related issues).

### *Procedure*

Participants were mailed a packet of information with the consent form, instructions, and questionnaires in envelopes marked with the family ID number. The consent form contained information regarding the participation of both the parent and the child in the study and was signed by the parent. The parent was asked to complete the demographic questionnaire; the task was estimated to take to take about 15 minutes. The child was asked to complete the CBQ which was estimated to take approximately 25 minutes. The parents and children were instructed to fill out their questionnaires in

separate rooms and the seal their questionnaires in the separate envelopes provided to allow for full confidentiality.



## Results

Data were analyzed in two steps. First, two preliminary analyses were conducted to determine if gender or age of the child account for a significant portion of variance in parent ratings and, thus, should be controlled for in the main analyses. Additionally, a Kappa Measure of Agreement analysis was conducted in this step to determine if physical custody status or nights spent per month at each parent's home should be used as the operationalization of amount of parent-child contact. While it was believed that age and gender of the child would not have a significant effect on the child's ratings of parenting behaviors, it was important to empirically test this hypothesis.

In the second step of the data analyses, four MANCOVAs were used to examine the effects of time post separation and amount of custody (amount of parent-child contact) on the children's ratings of fathers' parenting, mothers' parenting, and of their co-parenting ability. Time post separation and amount of custody were independent variables for these analyses. Ratings of parenting and co-parenting were the dependent variables. Additionally the confounding effect of the age of the child was removed by adding this variable into the model as a covariate. In order to use time since separation as an independent variable, the cases were divided into three groups based on time since separation. They are; Time 1 which is one year post divorce to two years post divorce, Time 2 which is two years post divorce to five years post divorce and Time 3 which is five years to fifteen years post divorce. Results from immediately post divorce to one year post divorce were dropped due to a low number of respondents. Mothers and fathers

were considered in separate MANCOVAs because cell sizes were not large enough to evaluate the interaction of custody arrangements and stage in the Divorce Adjustment Process. Parenting variables of monitoring, discipline, communication and warmth are the dependent variables for parenting. Positive co-parenting measures were inter-parent communication and respect/cooperation and negative co-parenting measures were triangulation and interpersonal conflict. These were included as dependent measures in two separate MANCOVAs. Use of a MANCOVA allowed for all dependent variables to be examined without increasing the risk of type 1 error due to the use of multiple analyses.

#### *Preliminary analysis*

In order to examine the effect of gender of the child on parental ratings, a single Multivariate Analysis of Variance (MANOVA) that included all parenting and co-parenting variables as dependent variables was performed. The overall  $F$  was significant,  $F(12, 505) = 3.37, p < .001$ ; Wilks' Lambda = .93; partial eta squared = .07. Results of this MANOVA indicated that there were several mean scores and score distributions that differed by gender of the child. These included the: Mother's Monitoring Scale score,  $F(1, 516) = 7.67, p < .05$  with female children ( $M = 20.11, SD = 4.97$ ) reporting more maternal monitoring than male children ( $M = 19.11, SD = 4.89$ ), Father's Discipline Scale score,  $F(1, 516) = 11.46, p < .05$  with boys ( $M = 25.36, SD = 8.51$ ) reporting higher levels of discipline than girls ( $M = 22.68, SD = 9.07$ ), and Mother-child Communication Scale score,  $F(1, 516) = 8.80, p < .05$ , with girls reporting more effective mother-child communication ( $M = 24.05, SD = 5.67$ ) than male children ( $M = 22.43, SD = 6.70$ ). While

there are two significant factors resulting from the twelve analyses, the overall Fisher's  $F$  ratio is only significant for one father parenting factor and two mother parenting factor. There were no significant differences by gender of the child for any of the co-parent parenting factors. Therefore, we will not control for gender of the child as a confounding variable based on these preliminary findings. See Table 2.

A series of Pearson product-moment correlation coefficients were examined to determine the relationship between age of the child and parental ratings. Each of the twelve parenting and co-parenting variables were examined separately. Several of the analyses indicated that there were negative correlations between the ratings of the children and the age of the child, indicating that as children get older, they rate some of their parent's behavior more negatively. Relationships were significant for the following variables: Parent Respect Scale score,  $r = -.15$ ,  $n = 515$ ,  $p < .001$ ; Co-Parent Communication Scale score,  $r = -.16$ ,  $n = 515$ ,  $p < .001$ ; Father's Warmth Scale score,  $r = -.16$ ,  $n = 515$ ,  $p < .001$ ; Mother's Monitoring Scale score,  $r = -.21$ ,  $n = 515$ ,  $p < .001$ ; Father's Discipline Scale score,  $r = -.20$ ,  $n = 515$ ,  $p < .001$ ; Mother's Discipline Scale score,  $r = -.22$ ,  $n = 515$ ,  $p < .001$ ; Father-Child Communication Scale score,  $r = -.12$ ,  $n = 515$ ,  $p < .01$ ; and Mother-Child Communication,  $r = -.10$ ,  $n = 515$ ,  $p < .05$ . While all of these variables showed a negative correlation with the child's age all of the correlations were very small accounting for, at most 5% of the variance in score. Due to this significant negative correlation the influence of the age of the child will be removed from the model by running a MANCOVA with age of the child as a covariate. See Table 3.

Table 2

*CBQ sub-scales contrasted by male or female child ratings (n = 518)*

Parenting or co-parenting factor	<i>F</i>	Male <i>M (SD)</i>	Female <i>M (SD)</i>
Conflict scale	.91	33.90 (10.34)	33.04 (10.05)
Triangulation scale	.24	45.80 (8.72)	45.41 (9.08)
Parental respect scale	.05	21.91 (7.87)	21.76 (7.87)
Co-parental communication scale	1.40	17.05 (6.54)	16.34(6.88)
Father's warmth scale	.13	25.67 (7.33)	25.43 (8.33)
Mother's warmth scale	2.72	28.71 (5.84)	29.62 (6.34)
Father's monitoring scale	3.79*	14.86 (6.30)	13.75 (6.40)
Mother's monitoring scale	7.67**	19.11 (4.89)	20.33 (4.97)
Father's discipline scale	11.46*	25.36 (8.51)	22.68 (9.07)
Mother's discipline scale	1.51	30.42 (6.13)	31.14 (6.73)
Father-child communication scale	1.75	18.97 (6.68)	18.13 (7.38)
Mother-child communication scale	8.80*	22.43 (6.70)	24.05 (5.67)

\*  $p < .05$ \*\*  $p < .001$

Table 3

*CBQ subscale scores correlated with child age (n=518)*

Parenting or co-parenting factor	<i>r</i>	<i>r</i> <sup>2</sup>
Conflict scale score	-.04	.002
Triangulation scale score	-.03	.001
Parental respect scale score	-.15*	.02
Co-parental communication scale score	-.16*	.03
Father's warmth scale score	-.17*	.03
Mother's warmth scale score	-.14*	.02
Father's monitoring scale score	-.21*	.04
Mother's monitoring scale score	-.20*	.04
Father's discipline scale score	-.22*	.05
Mother's discipline scale score	-.22*	.05
Father-child communication scale score	-.12*	.01
Mother-child communication scale score	-.10*	.01

\*  $p < .05$

An unambiguous and objective definition of physical custody and overnights with each parent was sought in this study. Primary and joint physical custody have meaning in the legal arena. Concern was expressed that an empirical relationship might not exist between these two terms. Thus, the relationship between overnights in each month with each parent and the legal definition of physical custody was explored. Custodial status and the percentage of nights spent at each parent's house were examined, with the variable of most time spent divided into: most time spent at mother's house, most time spent at father's house, and time split equally between the two homes. The use of custodial status instead of nights spent at mother or father's houses was supported by a Kappa Measure of Agreement analysis (Kappa agreement = .66). This supports the use of physical custody status as a viable alternative to the variable of nights spent at mother or fathers house during the last 30 days in the main analyses.

*Time Since Divorce, Child Custody and Their Influence on Parenting Behaviors*

The effect of the independent variables, custodial status and time since divorce, were evaluated in three steps. First positive co-parenting factors were evaluated, second negative co-parenting variables were examined, and lastly separate MANCOVAs were run to examine the effects of the independent variables on parenting variables of mothers and fathers. Due to the significant relationships between age of the child and parental ratings, the age of the child was controlled for by covarying out the effects. For all MANCOVAs both independent variables (time since divorce and custodial status) were included in the analysis. If results of the main analysis were significant the results for both independent variables were considered separately. For all results a Tukey HSD post

hoc test was included to determine the direction and strength of the individual relationships.

A between-groups MANCOVA was performed to investigate possible differences in negative co-parenting ratings by amount of contact and time since divorce. Two dependent variables were used: Triangulation Scale scores and Conflict Scale scores. The independent variables were stage in divorce adjustment process (time one, two and three) and custodial status (mom primary physical custody, dad primary physical custody or shared custody), additionally the variable the confounding variable of age of the child was controlled for in the analysis. Significant differences were found on the combined dependent variables by stage in the divorce adjustment process,  $F(4, 972) = 3.17, p < .05$ , Wilks' Lambda = .97, partial eta squared = .01. When the results for the dependent variables were considered separately in ANOVA calculations, only the Conflict Scale score reached statistical significance,  $F(2, 510) = 6.25, p < .01$ , partial eta squared = .03. Triangulation Scale score did not reach statistical significance,  $F(2, 510) = 2.32, p = .10$ , partial eta squared = .01. The Tukey HSD post hoc tests indicated that parents at time 1 in the divorce adjustment process and ( $M = 29.92, SD = 1.56$ ) parents in the 2<sup>nd</sup> stage ( $M = 33.88, SD = 1.26$ ) have significantly more conflict than parents in time 3 ( $M = 35.63, SD = .86$ ). Final results indicated that stage 1 and 2 were significantly different than stage 3. When raw scores are converted to *t*-scores results indicate that overall conflict decreases over time, however, it may take parents up to 5 years post divorce to reach an average level of conflict. Parents from one to two years post divorce show significantly higher ratings on parental conflict, scoring in general a half a standard

deviation lower than the average of all divorcing parents (based on a separate normative sample), while parents in time 3 (5-15 years) are rating by their children as performing very close to the average for all divorced families. See Table 4. See Figures 1 and 2.

When the results for custodial status were examined for the combined dependent variable, the analysis showed statistically significant results,  $F(4, 974) = 2.60, p < .05$ , Wilks' Lambda = .98, partial eta squared = .01. When results for the dependent variables were considered separately, only the Triangulation Scale score was statistically significant,  $F(2, 510) = 3.73, p < .05$ , partial eta squared = .02, Conflict Scale score did not meet criteria for statistical significance  $F(2, 510) = .96, p = .38$ , partial eta squared = .004. The Tukey HSD post hoc tests indicated that when fathers had primary physical custody children reported lower rates of triangulation ( $M = 47.74, SD = 1.52$ ) than when mothers had primary physical custody ( $M = 45.32, SD = .52$ ) and the highest rates of triangulation were reported by children whose parents had shared custody ( $M = 42.92, SD = 1.06$ ) however, shared custody and mom primary physical custody did not significantly differ. Ultimately the post hoc tests indicated that the primary custody father group significantly differed from the primary custody mother group and the shared physical custody group. Additionally, when raw scores were converted to *t*-scores, parents with shared custody were rated by their children as having significantly more triangulation than when fathers were awarded primary physical custody. Families in the former category were rated by their children as performing almost a standard deviation below the mean of the normative sample. When fathers were primary custodians, children rated their parents as having average levels of inter-parent triangulation. See Table 5.

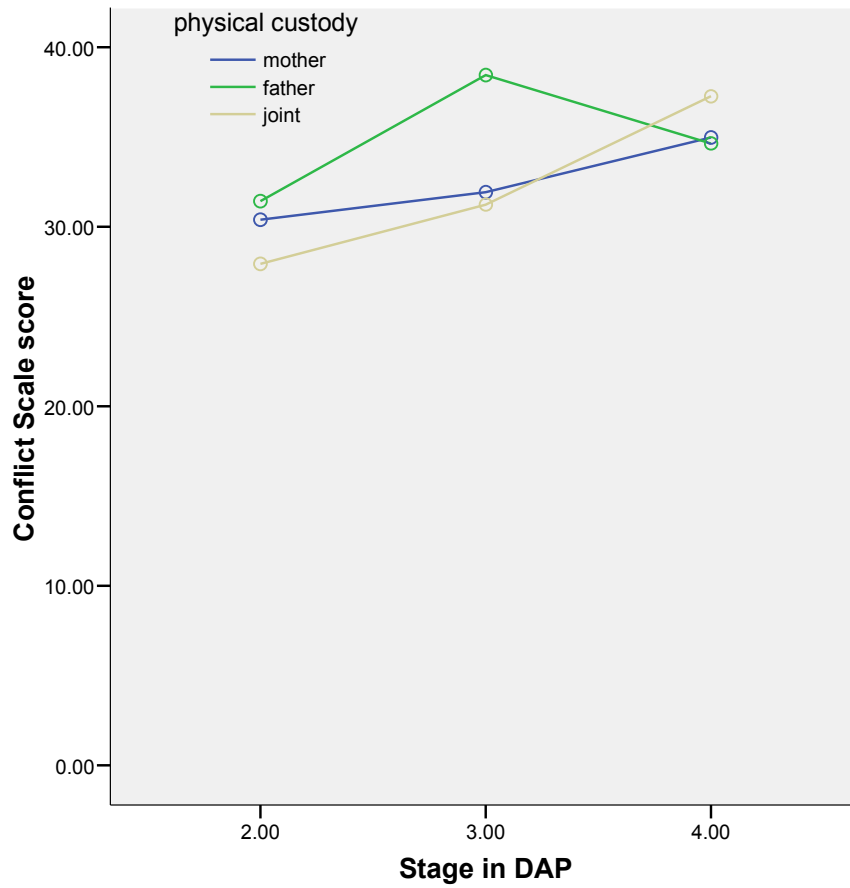


Table 4

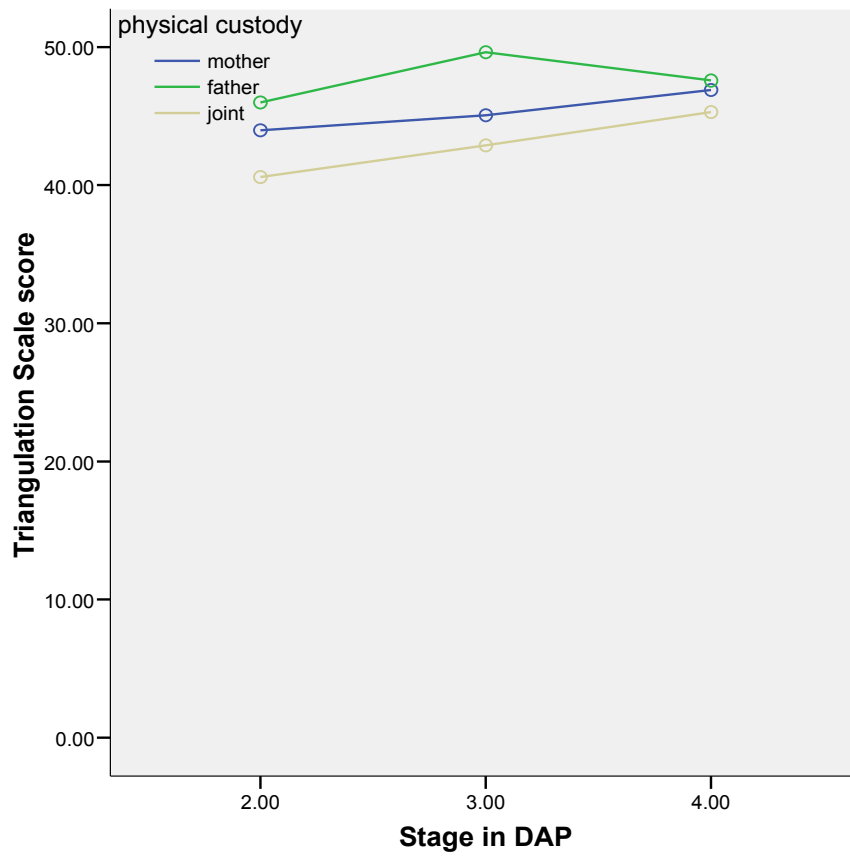
*Negative Co-Parenting Factors by Time Post Divorce (n=518)*

	Time Post Divorce	Mean (SD)	T-score
Conflict Scale Score	Time 1	29.92 (1.56) <sup>a</sup>	44.21
	Time 2	33.88 (1.26) <sup>a</sup>	47.87
	Time 3	35.63 (.86) <sup>a</sup>	49.70
Triangulation Scale Score	Time 1	43.53 (1.37)	46.42
	Time 2	45.86 (1.11)	48.42
	Time 3	46.60 (.76)	49.42

<sup>a</sup> = Stage 1 and 2 are significant different from stage 3 at the  $p < .05$  level.



*Figure 1: Children's ratings of parental conflict by time since divorce and physical custody status.*



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*Figure 2:* Children's ratings of parent's triangulation by time since divorce and parents custodial status.

Table 5  
*Negative Co-Parenting Factors by Custodial Status (n=518)*

Scale	Custodial Status	Mean (SD)	T-score
Conflict Scale Score	Mother	32.43 (.59)	46.96
	Father	34.84 (1.72)	48.77
	Joint	32.15 (1.20)	46.96
Triangulation Scale Score	Mother	45.32 (.52)	48.42
	Father	47.74 (1.52)*	50.41
	Joint	42.92 (1.06)*	46.42

\* = Joint is significantly different from father at the  $p < .05$  level

Next, a between-groups MANCOVA was performed to examine the effects of time post divorce and amount of custodial contact on positive co-parenting variables. Two dependent variables were used: Parental Respect Scale scores and Co-parenting Communication Scale scores. The independent variables were custody and stage in Divorce Adjustment Process and the effect of age of the child was controlled. There were statistically significant effects for the custodial status on scores from the combined dependent variable,  $F(4, 974) = 5.03, p < .001$ , Wilks' Lambda = .96, partial eta squared = .02. When the results for the dependent variables were considered separately both reached statistical significance. Parental Respect Scale score indicated that there were significant differences by custodial status,  $F(2, 510) = 8.937, p < .001$ , partial eta squared = .04. The Tukey HSD post hoc tests indicated that when mothers had sole custody, children reported lower levels of parental respect ( $M = 21.19, SD = .46$ ) than when fathers had sole custody or when there was shared custody ( $M = 24.92, SD = 1.33$  and  $M = 24.94, SD = .93$ , respectively). There were also statistically significant differences between custodial status and Co-parent Communication Scale scores,  $F(2, 510) = 8.74, p < .001$ , partial eta squared = .04. The Tukey HSD post hoc tests indicated that children whose mothers have full physical custody rated their parents as having less co-parent communication ( $M = 16.22, SD = .45$ ) than children whose father had primary physical custody ( $M = 18.84, SD = 1.33$ ) and children rated parents with shared custody ( $M = 19.58, SD = .78$ ) higher than either of the other groups. For both factors primary custody mother group differed significantly from primary father group and shared custody group. The effect of time post divorce was not significant,  $F(4, 974) = .52, p =$

.72; Wilks' Lambda = .99, partial eta squared = .002. When raw scores were converted to *t*-scores it was shown that when fathers had custody or parents had shared custody children rated their parents as having slightly better than average levels of co-parent communication but when mothers retained sole legal custody parents' communication was significantly more impaired and were rated a half a standard deviation below the mean when compared to the normative sample. See Table 6 and figures 3 and 4.

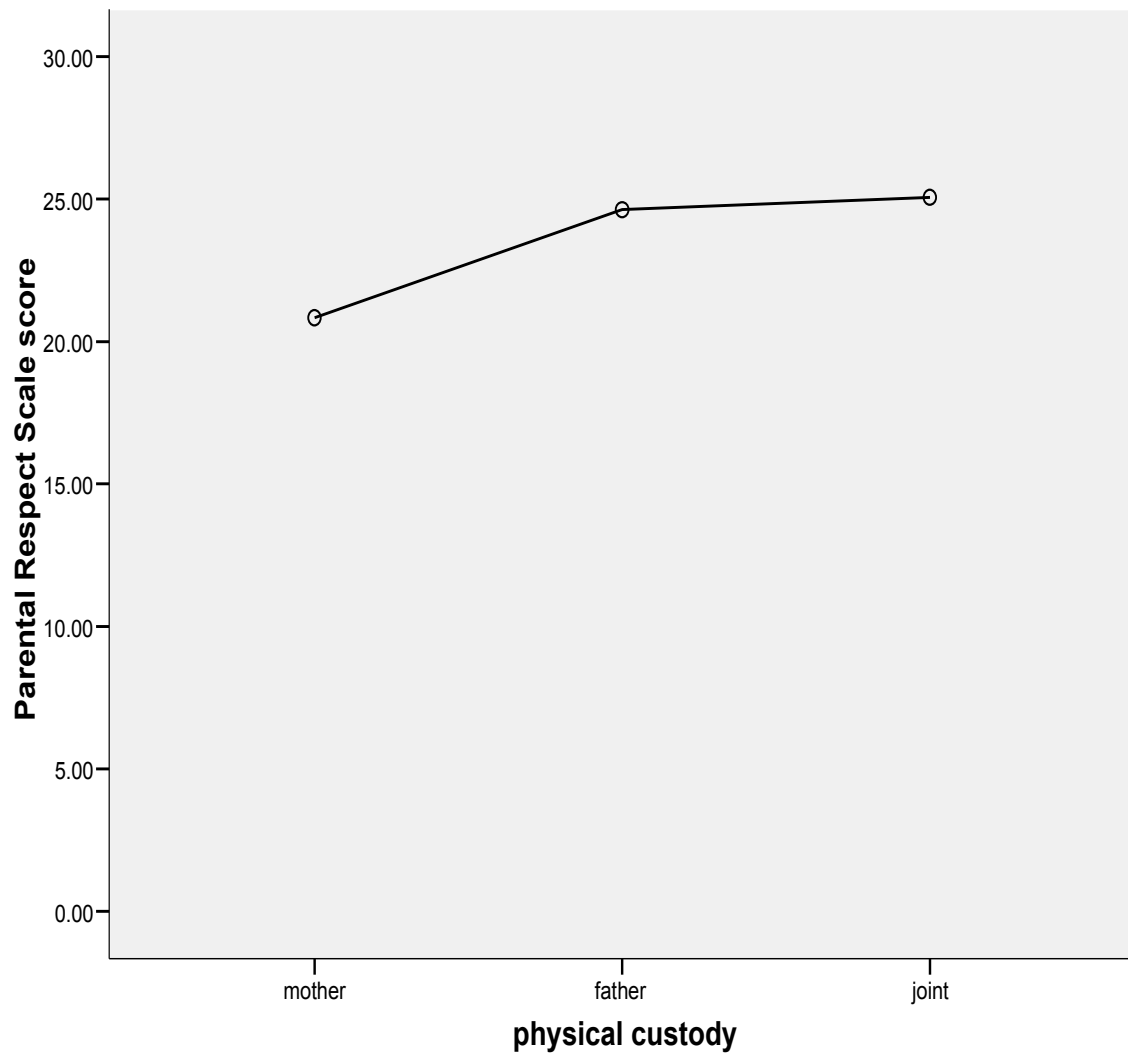
A between-groups MANCOVA was performed to investigate the effects of time since divorce and amount of custody on children's ratings of their mothers' and, separately, fathers' parenting. Scores from four dependent variables were used: Mother's Warmth Scale, Mother's monitoring Scale, Mother's Discipline Scale and the Mother-Child Communication Scale additionally the effect of age of the child was a covariate. There were statistically significant differences between mothers with different custodial statuses on the combined dependent variables,  $F(8, 976) = 9.65, p < .001$ ; Wilks' Lambda = .86; partial eta squared = .07. When the results for the dependent variables were considered separately, all met criteria for statistical significance. Mother's Warmth Scale scores met criteria for significance,  $F(2, 510) = 5.80, p < .01$ , partial eta squared = .02. The results of the Tukey HSD post hoc tests indicated that children of mothers with sole or joint physical custody reported that their mothers had higher levels of warmth ( $M = 29.86, SD = .36$ ;  $M = 28.89, SD = .73$ , respectively) than children of mothers with no physical custody ( $M = 26.25, SD = 1.02$ ). Mother's Monitoring Scale scores also showed significant differences,  $F(2, 510) = 32.29, p < .001$ , partial eta squared = .12. The results of the Tukey HSD post hoc tests indicated that children of mothers with sole physical

Table 6

*Positive Co-Parenting Factors by Custodial Status (n=518)*

Scale	Custodial Status	Mean (SD)	T-scores
Parental Respect	Mother	21.19 (.46)*	46.68
	Father	24.92 (1.33)*	51.55
	Joint	24.94 (.93)*	51.55
Co-parent Communication	Mother	16.22 (.39)*	46.84
	Father	18.84 (1.13)*	51.23
	Joint	19.58 (.78)*	52.70

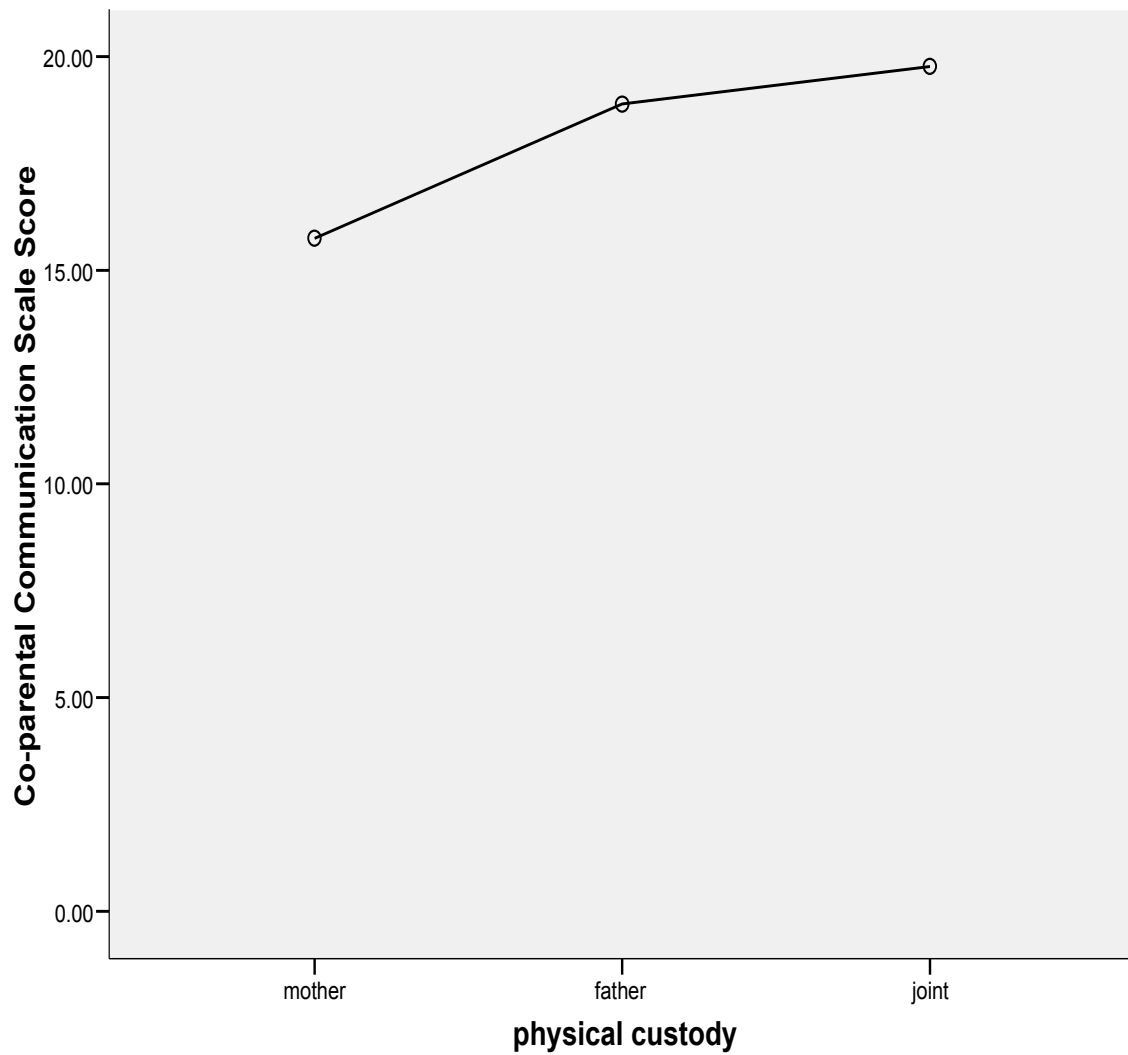
\* = rating when mothers had primary physical custody was significantly lower than when fathers had sole custody or parents had shared custody.



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*Figure 3: Ratings by children of co-parental respect by primary physical custodian.*





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*Figure 4:* Ratings by children of co-parental communication by primary physical custodian.

custody reported that their mothers had higher levels of monitoring ( $M = 20.85$ ,  $SD = .27$ ) than children of mothers with joint physical custody ( $M = 18.96$ ,  $SD = .55$ ) and again both group reported higher levels of maternal monitoring than the children of mothers with no physical custody ( $M = 14.46$ ,  $SD = .77$ ). Additionally, Mother's Discipline Scale scores showed significant differences,  $F(2, 510) = 21.62$ ,  $p < .001$ , partial eta squared = .08. The results of the Tukey HSD post hoc tests indicated that children of mothers with sole physical custody reported that their mothers had higher levels of discipline ( $M = 32.11$ ,  $SD = .37$ ) than children of mothers with joint physical custody ( $M = 29.99$ ,  $SD = .74$ ) and again both group reported higher levels of maternal discipline than the children of mothers with no physical custody ( $M = 25.10$ ,  $SD = 1.04$ ). Finally, Mother-Child Communication Scale scores were significantly effected by custodial status,  $F(2, 510) = 7.75$ ,  $p < .001$ , partial eta squared = .031. The results of the Tukey HSD post hoc tests for Mother-Child Communication scores indicated that children of mothers with sole physical custody or joint physical custody reported that their mothers had higher levels of communication ( $M = 23.98$ ,  $SD = .39$  and  $M = 23.16$ ,  $SD = .73$ , respectively) than children of mothers with no physical custody ( $M = 19.75$ ,  $SD = 1.02$ ). The MANCOVA revealed no significant differences between ratings based on time since divorce,  $F(8, 967) = .95$ ,  $p = .47$ ; Wilks Lambda = .99, partial eta squared = .008. When raw scores were converted to  $t$ -scores it was again shown that mothers were rated by their children as showing significantly better co-parenting skills than when mothers were not awarded substantial physical custody. Custodial mothers were rated as performing close to the average of the normative sample. Mothers with secondary physical custody and

mothers with shared custody were also rated lower on the Warmth Scale and the Mother-child Communication Scale and generally scored less than one standard deviation below the mean of the normative sample. One notable exception is mothers with secondary physical custody received ratings which were almost one and one half standard deviations below the mean indicating a particular deficit in relation to other divorced mothers. See Table 7 and Figures 5, 6, 7 and 8.

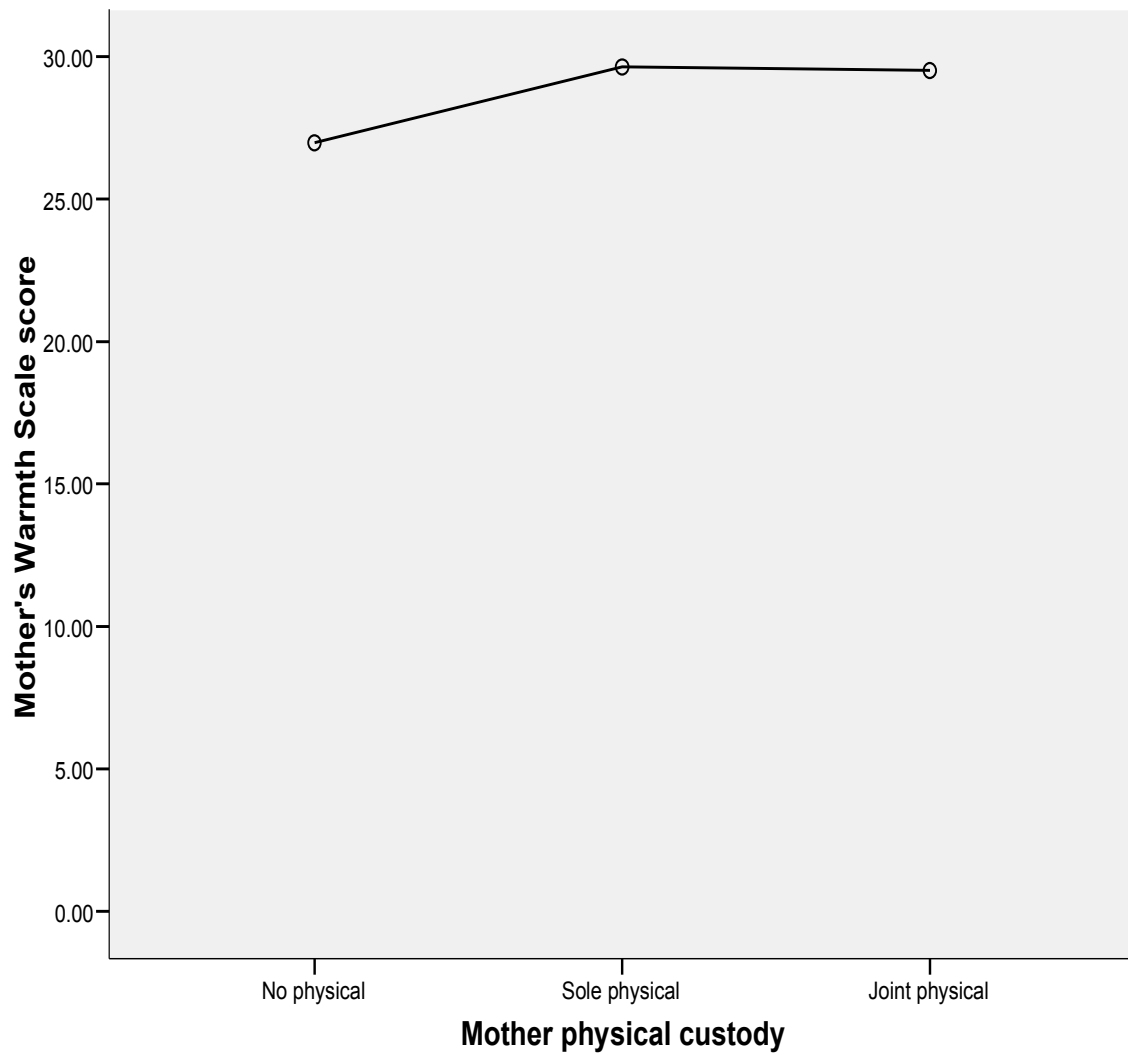
A second between-groups MANCOVA was performed to examine the effects of time since divorce and amount of custodial contact on children's ratings of their fathers. Four dependent variables were used: Father's Warmth Scale score, Father's Monitoring Scale score, Father's Discipline Scale score, and Father-Child Communication Scale score. The independent variables were amount of custodial contact and stage in the divorce adjustment process. The MANCOVA revealed no significant differences between groups by time since divorce,  $F(8, 978) = 1.69, p = .10$ ; Wilks' Lambda = .97, partial eta squared = .014. There was a statistically significant difference for ratings of fathers on the combined parenting variable by custodial status,  $F(8, 978) = 10.72, p < .001$ , Wilks' Lambda = .97, partial eta squared .01. When results for the dependent variables were considered separately, each reached statistical significance. Father's Warmth Scale scores varied significantly as a function of custodial status,  $F(2, 510) = 8.83, p < .001$ , partial eta squared = .04. The results of the Tukey HSD post hoc tests indicated that that children of fathers with sole and joint physical custody reported that their fathers had higher levels of warmth ( $M = 30.40, SD = .1.33$ ;  $M = 27.35, SD = .93$ , respectively) than the children of fathers with no physical custody ( $M = 25.03, SD = .46$ ). Father's Table 7

*Maternal Parenting Factors by Custodial Status (n=518)*

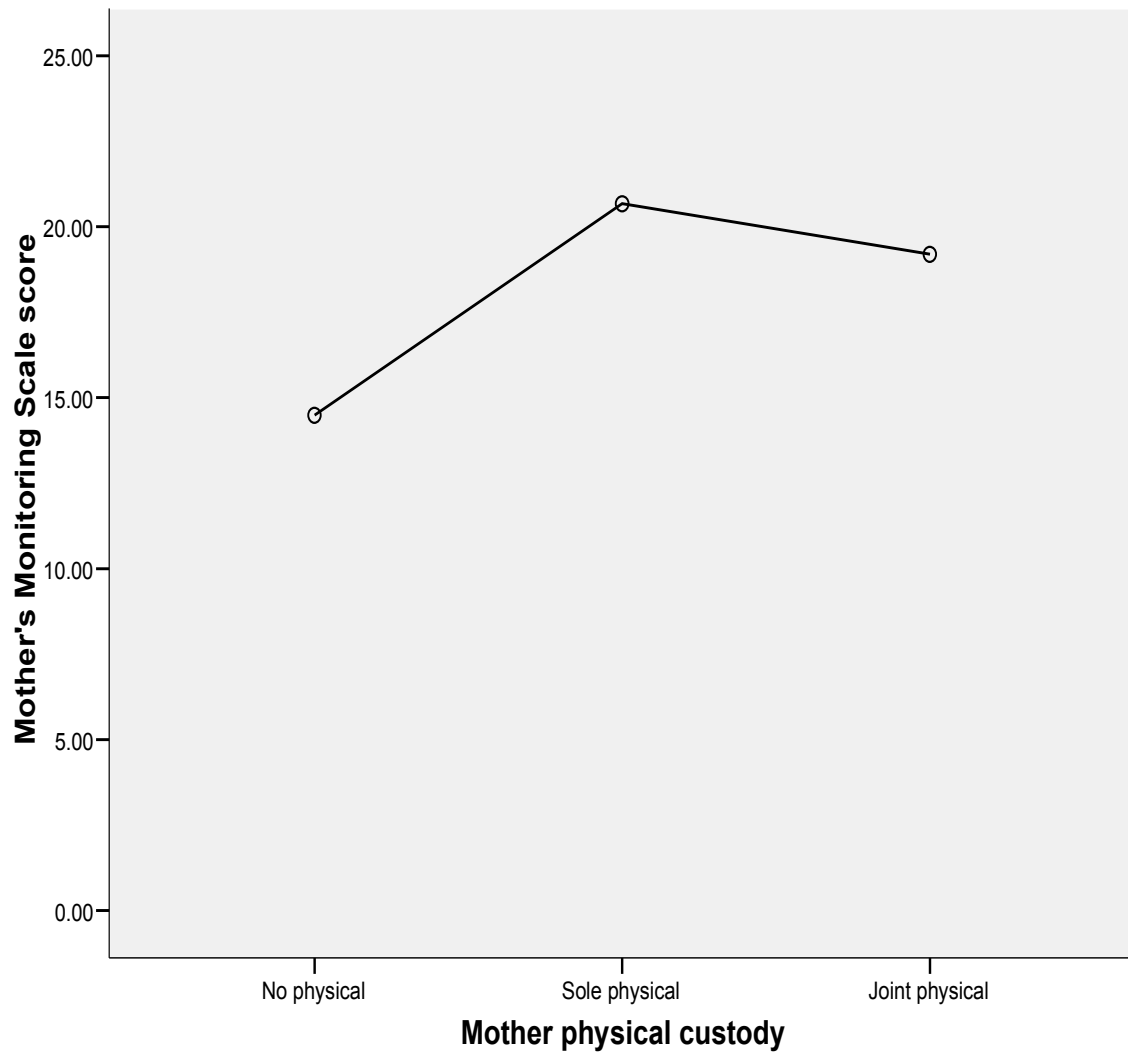
Maternal Parenting Factor	Custodial Status	<i>M (SD)</i>	<i>t-scores</i>
Warmth Scale Score			
	No Physical	26.25(1.02) <sup>a</sup>	45.09
	Sole Physical	29.86(.36)	51.87
	Joint Physical	28.89(.73)	47.80
Monitoring Scale Score			
	No Physical	14.46(.77) <sup>b</sup>	36.39
	Sole Physical	20.85(.27) <sup>b</sup>	47.66
	Joint Physical	18.96(.55) <sup>b</sup>	42.84
Discipline Scale Score			
	No Physical	25.07(1.04) <sup>b</sup>	46.08
	Sole Physical	32.11(.36) <sup>b</sup>	55.17
	Joint Physical	29.99(.74) <sup>b</sup>	50.63
Mother-Child Communication			
	No Physical	19.75(1.02) <sup>a</sup>	46.26
	Sole Physical	23.97(.36)	54.87
	Joint Physical	23.14(.73)	52.00

<sup>a</sup> = the mean score for the no physical contact group differs significantly from the sole physical custody group and the joint physical custody group

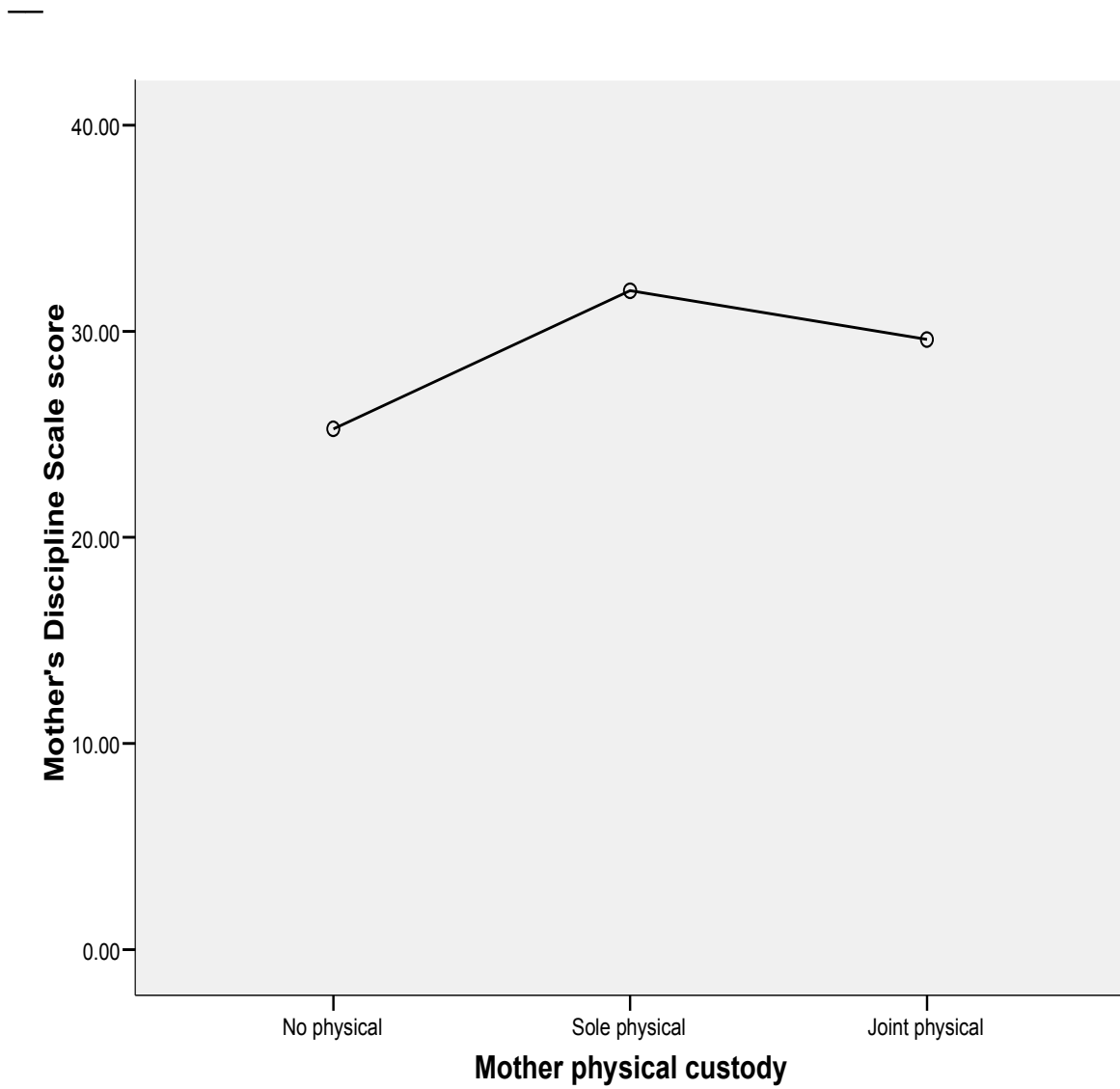
<sup>b</sup> = the mean scores of each custodial status group differences significantly from each other



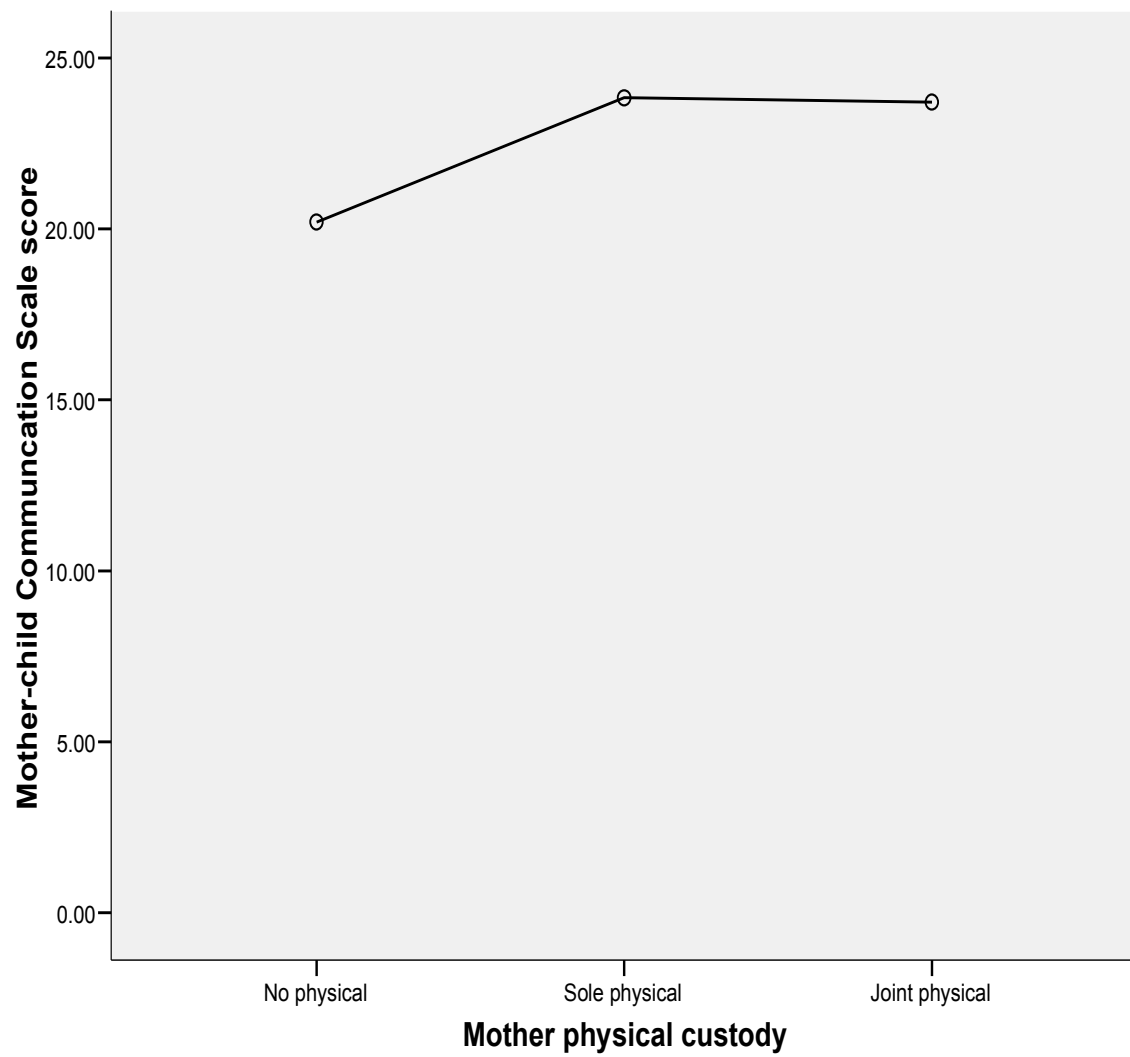
*Figure 5:* Children's ratings of mother's warmth by custodial status.



*Figure 6:* Children's ratings of mother's monitoring by custodial status.



*Figure 7:* Children's ratings of mother's discipline by custodial status.



*Figure 8:* Children's ratings of mother-child communication by custodial status.



Monitoring Scale score also showed significant differences by custodial status,  $F(2, 510) = 32.14, p < .001$ , partial eta squared = .12. The results of the Tukey HSD post hoc tests indicated that children of fathers with sole or joint physical custody reported that their fathers had higher levels of monitoring ( $M = 20.48, SD = 1.00$ ;  $M = 17.48, SD = .67$ , respectively) than the children of fathers with no physical custody ( $M = 13.36, SD = .36$ ). Additionally, Father's Discipline Scale score showed significant differences by custodial status,  $F(2, 510) = 32.65, p < .001$ , partial eta squared = .12. The results of the Tukey HSD post hoc tests indicated that children of fathers with sole physical custody reported that their fathers had higher levels of discipline ( $M = 32.54, SD = 1.35$ ) than children of fathers with joint physical custody ( $M = 27.91, SD = .94$ ) and both group reported higher levels of paternal discipline than the children of fathers with no physical custody ( $M = 22.58, SD = .47$ ). Lastly Father-Child Communication Scale score reached significance by custodial status,  $F(2, 510) = 20.37, p < .001$ , partial eta squared = .08. The results of the Tukey HSD post hoc tests for Father-Child Communication scores indicated that children of fathers with sole and joint physical custody reported that their fathers had higher levels of father-child communication ( $M = 24.10, SD = 1.15$ ;  $M = 21.65, SD = .80$ , respectively) than children of fathers with no physical custody ( $M = 17.74, SD = .40$ ).

When raw scores were converted to  $t$ -scores, results indicated that fathers with sole custody were rated by their children as having better parenting skills than fathers in the other custodial conditions. Their parenting was rated as slightly below the average of the normative sample. Fathers in the other custodial arrangement were generally rated by their children as less effective parents with fathers sharing physical custody being about a

half a standard deviation below the mean and fathers with secondary physical custody as having particularly large deficits in their parenting practices and scoring a standard deviation or more below the mean of the normative sample on all parenting factors. See Table 8, Figures 9, 10, 11, and 12.

### *Summary of Results*

Children's rating of their parents' conflict reflect reductions in inter-parent hostility over the first five years of the separation and divorce to average at time 3, or 5 years post-separation. Time since separation was not found to impact any other dimensions of parenting or co-parenting in this sample. Custodial status was found to have numerous, significant relationship with ratings of parenting and co-parenting. First, inter-parenting triangulation was average when the fathers had sole custody and was significantly lower than ratings in the other two custodial arrangements. Additionally children reported that their parents showed less parental respect and co-parent communication when mothers had primary physical custody than when either the father had primary physical custody or the parents shared custody.

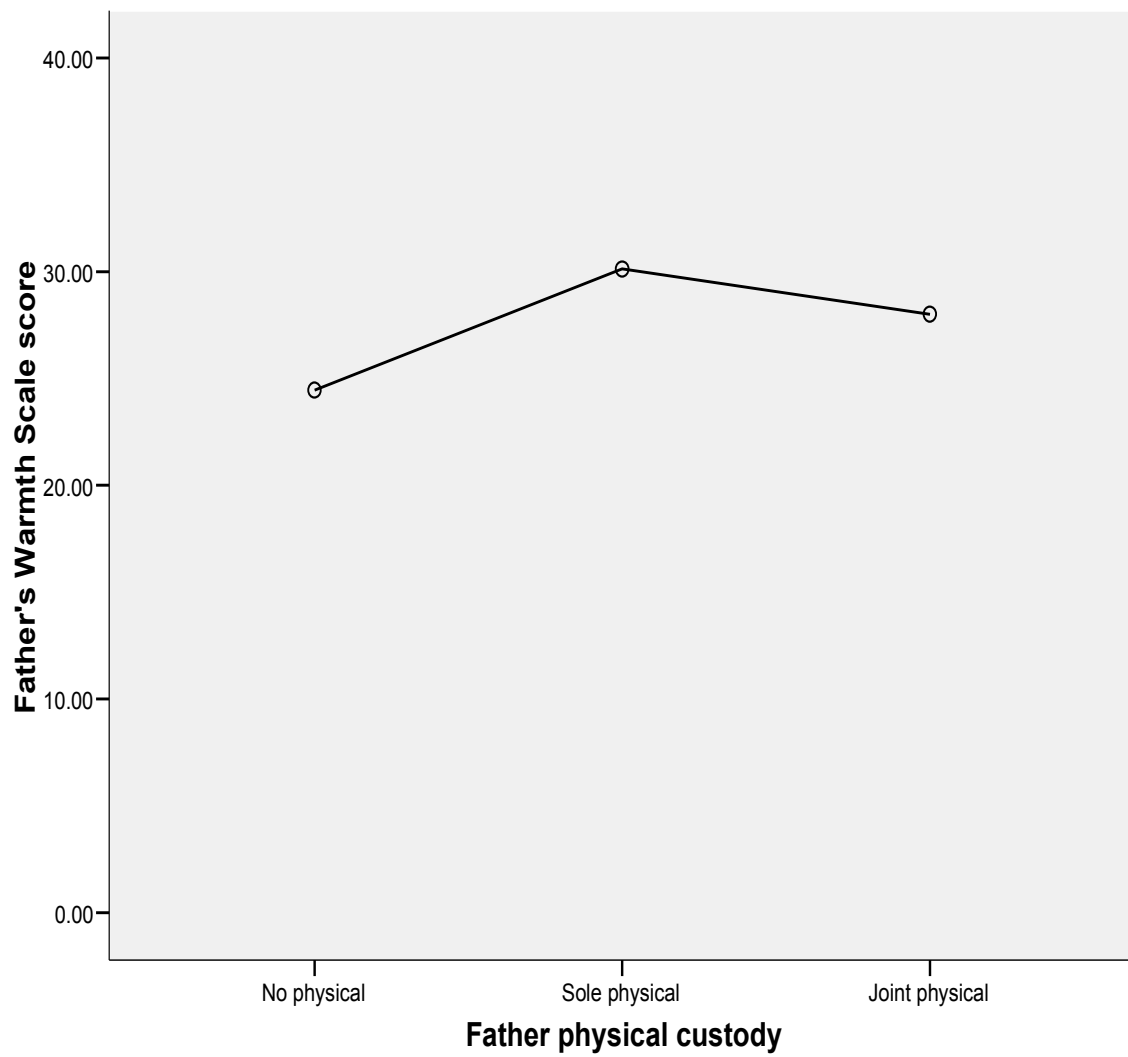
Parenting, too, varied by custodial status. Sole maternal custody was associated with higher levels of warmth and mother-child communication than either joint or no maternal physical custody arrangements. Mothers with sole physical custody were also rated by their children as displaying higher levels of monitoring and discipline than mothers who had shared custody, and that both mothers with sole and shared custody showed higher levels of monitoring and discipline than mothers with no physical custody. Mothers who were rated as performing well were generally rated as average compared to Table 8

*Paternal Parenting Factors by Custodial Status (n=518)*

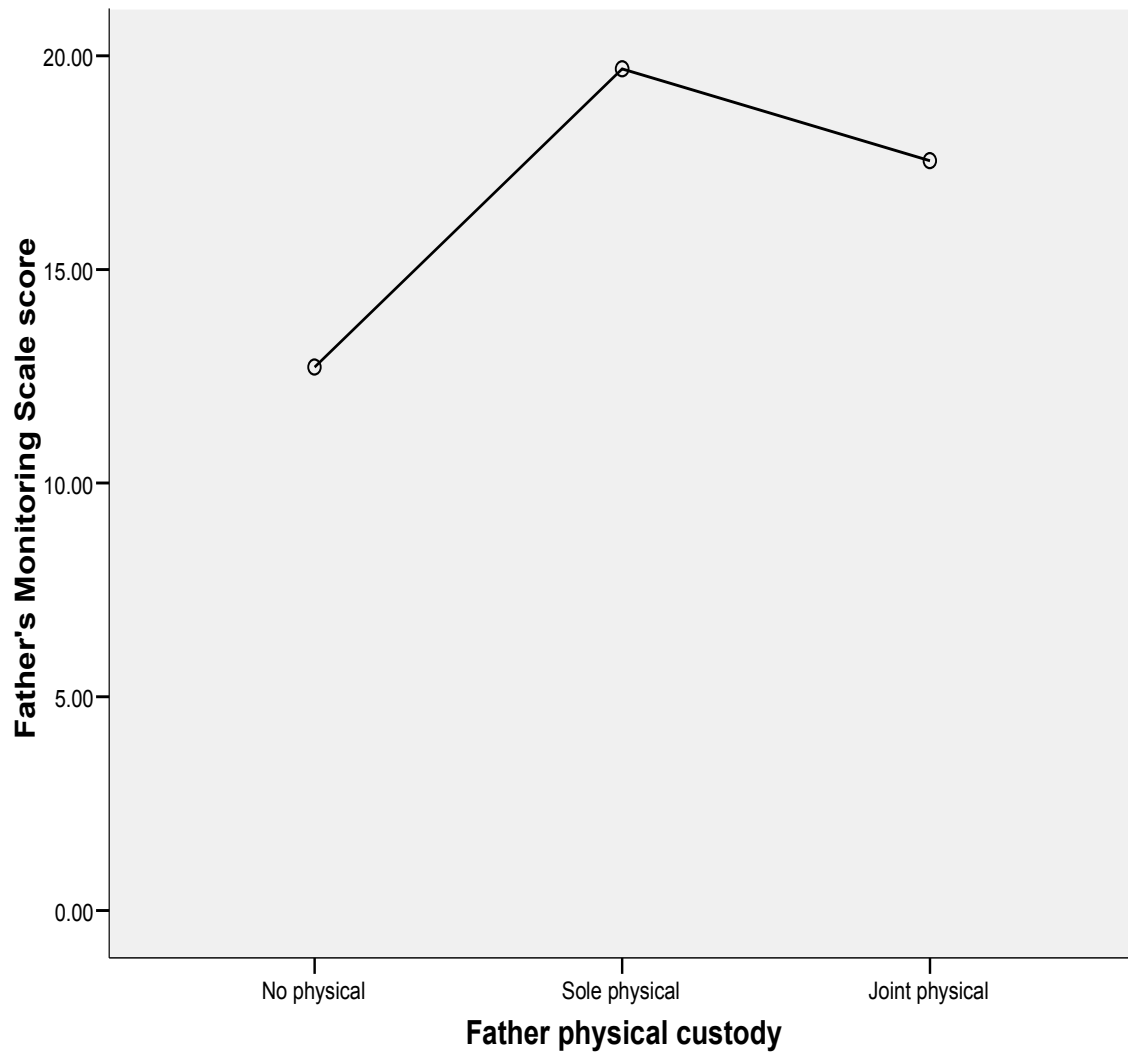
Paternal Parenting Factor	Custodial Status	<i>M (SD)</i>	<i>t</i> -score
Warmth Scale Score			
	No Physical	25.03(.46) <sup>a</sup>	39.97
	Sole Physical	30.40(1.33)	47.91
	Joint Physical	27.35(.92)	45.92
Monitoring Scale Score			
	No Physical	13.36(.34) <sup>a</sup>	33.94
	Sole Physical	20.48(1.00)	49.03
	Joint Physical	17.48(.70)	44.72
Discipline Scale Score			
	No Physical	22.58(.47) <sup>b</sup>	37.85
	Sole Physical	32.54(1.35) <sup>b</sup>	48.55
	Joint Physical	27.91(.94) <sup>b</sup>	45.49
Father-Child Communication			
	No Physical	17.74(.40) <sup>a</sup>	40.97
	Sole Physical	24.10(1.15)	48.93
	Joint Physical	21.65(.80)	46.95

<sup>a</sup> = the mean score for the no physical contact group differs significantly from the sole physical custody group and the joint physical custody group

<sup>b</sup> = the mean scores of each custodial status group differences significantly from each other

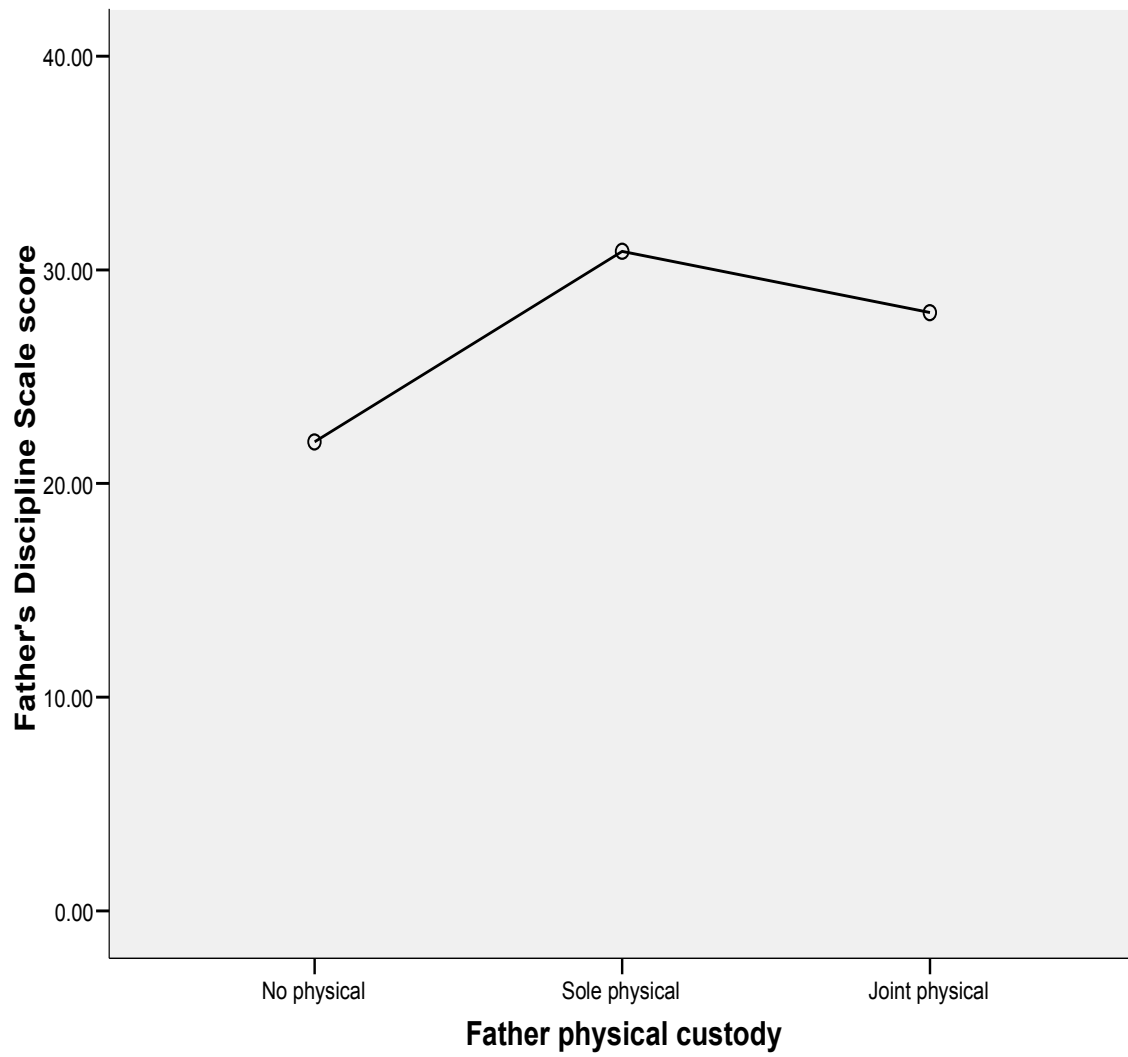


*Figure 9:* Children's ratings of father's warmth by custodial status of the father.



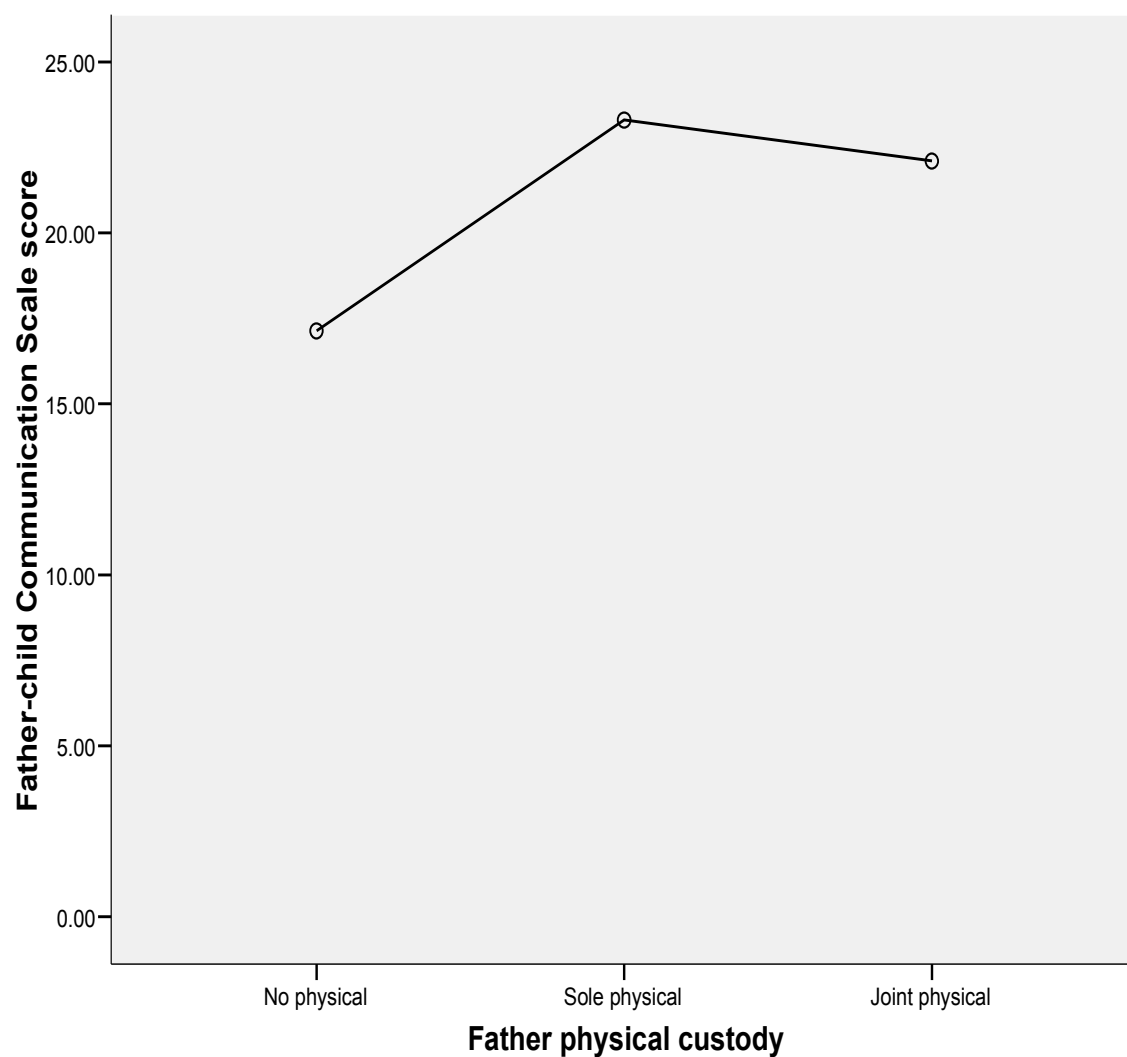
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*Figure 10:* Children's ratings of father's monitoring by custodial status of the father.



—

*Figure 11:* Children's ratings of father's discipline by custodial status of the father.



*Figure 12:* Children's ratings of father-child communication by custodial status of the father.

the normative sample of divorced mothers, while mothers who were rated as performing more poorly were rated roughly a half a standard deviation to a standard deviation and a half below average.

Fathers with sole physical custody showed a similar pattern of more effective parenting and were rated as displaying more warmth, monitoring and discipline than fathers who had either joint or secondary physical custody. Children also reported that fathers with sole physical custody had higher levels of communication with the child than fathers with shared custody and that both groups had higher levels of communication than fathers with secondary physical custody of their child. Children rated their fathers with sole custody as about equal to the average scores in the normative sample on all parenting dimensions. Fathers with shared custody were rated a half standard deviation below the mean and fathers with secondary physical custody rated a standard deviation or more below average.



### **Discussion**

This study produced four important findings. First, time since divorce and negative co-parenting factors were significantly associated, with conflict decreasing after time 2, or 5 years after the separation. Second, custody arrangements and negative co-parenting factors were significantly linked, with families in which the father was the primary custodian showing less negative co-parenting than families where parents had shared custody. Third, custodial status and positive co-parenting factors were significantly related, with fathers awarded sole custody and parents sharing physical custody showing higher levels of positive co-parenting than families in which mothers were the primary physical custodians. Fourth, physical custody and parenting factors were associated with both mother and father primary custodians being rated more favorably than parents who were not custodians. Finally, the study produced several interesting but non-significant trends, with time since divorce and both parenting and co-parenting ratings sharing possible relationships.

Time since separation was significantly associated with negative co-parenting. Children's ratings of inter-parent conflict remained steady over all custodial categories in times 1 and 2 and decreased in time 3. Parents in times one and two were rated by their children as having conflict scores close to one-half standard deviation lower than the normative mean, with lower scores indicating increased conflict. Parents in time three (five years or more post-divorce) were rated by their children as displaying significant reductions in conflict, improving to the normative sample mean. For all results partial eta

squared indicated small effect sizes, however this is most likely an underrepresentation of the actual effect size due to problems with different cell sizes.

Group differences may demonstrate parents learning effective co-parenting techniques with time, thus decreasing their conflict. Additionally, as time increased since the divorce, parents may begin to heal the emotional scars left by their divorce or custody battle. As they move on with their lives, they may expend less energy punishing each other, investing their emotional energies in the rebuilding of their lives. Additionally, it may be that as children get older, they require less parenting and, hence, the contact between their parents decreases with less frequent opportunities for conflict.

Future studies are needed to determine if cohort effects apparent in the current study reflect individual's changes over time. While there is no current longitudinal literature examining the association between time since divorce and the relationship between parents, research has shown that parent-child relationships do change over time after divorce, tending to stabilize or even improve (Hetherington, 2003). Further, the Divorce Adjustment Process (Stolberg, et al., 1986) the clinical observations suggesting that inter-parent relationships improve over time, especially during the Period of Recovery and Redefinition. This co-occurs with most parents re-establishing their effective parenting and co-parenting and establishing new, durable intimate relationships.

The present finding did not support the use of the Approximation Rule as a viable alternative to BIOC. One of the underlying assumptions of the Approximation Rule is the immutability of parenting over time and, thus, past roles dictate future, post-separation

parenting responsibilities. The current finding may refute this assumption, suggesting that BIOC would be a more appropriate standard for custody and visitation decisions.

Custodial status was significantly associated with positive co-parenting variables. When parents have joint physical custody, or when fathers have primary physical custody, children rated their parents as displaying significantly higher rates of co-parent communication and respect than when mothers retained sole physical custody. When fathers had primary physical custody or parents equally shared physical custody, children rated their parents as performing slightly better than average when compared to the normative group of divorced parents. When mothers had sole physical custody, children rated their parents as displaying significantly fewer positive co-parenting behaviors, levels that were below the normative average for other divorced parents. Inter-parent communication and inter-parent respect were rated as approximately one-half standard deviation below the normative mean.

The relationship between custody and co-parenting might be assumed to reflect several processes. When parents share physical custody, they are forced to work together. This increased interaction demands that parents develop more effective ways to co-parent. Alternatively, judges are more likely to award parents shared physical custody when they demonstrate more positive co-parenting before the judge renders his or her decision.

The relationship between father-custody and enhanced co-parenting and mother-custody and diminished co-parenting was not expected. This clear difference in custody-linked, co-parenting patterns reflects greater continued, maternal involvement when

father are primary custodians and might reflect fathers' more active engagement of the mother. In contrast, when mothers are the primary custodians, fathers are less likely to remain involved in the co-parenting process. This may also reflect a less benign process in which the custody arrangement and possibly the custodian alienate the father.

The aforementioned processes are highly speculative. There is no empirical literature that examines the relationship between custody status and positive co-parenting relationships. Thus, we must apply these findings with caution. The Approximation Rule, it might be argued, is too rigid a standard and fails to consider the impact of the Court-awarded role on subsequent parental involvement.

Parents' custodial status was also associated with negative co-parenting ratings for the Triangulation Scale. Children rated their parents as showing less triangulation when fathers had primary custody than when parents had shared custody. Children rated their parents as having average rates of triangulation (in reference to the normative sample) when fathers had primary custody and close to one half standard deviation below average scores, or poorer functioning on the triangulation dimension, when parents had shared custody.

In the absence of empirical literature on this point, the finding must also be approached intuitively; when parents are forced to work together in joint custodial situations they tend to have more opportunity to engage in negative co-parenting behaviors. In families where the father has primary custody, there is less reason for one parent to "play" one against the other. It may also be that fathers are more inclusive of

mothers when they have primary physical custody of the children and, thus, less manipulation of the circumstances is employed.

The relevance of this finding to the Approximation Rule is somewhat more difficult of the Approximation Rule because pre-separation roles of the fathers are unknown. Further, sufficient Time 1 (1<sup>st</sup> year after the separation) data are not available to understand evolution in parenting roles for fathers with primary physical custody.

Custodial status was statistically associated with children's ratings of their mothers' positive parenting behaviors with primary physical custody being associated with ratings of better parenting and more limited physical custody being associated with substantially diminished ratings of parenting. Shared physical custody displayed somewhat varying relationships with parenting effectiveness. For the variables of monitoring and discipline, children rated mothers with primary physical custody as performing better than mothers with shared custody. Mothers with primary physical custody and shared custody were rated as displaying more mother-child communication and warmth than were mothers with more limited physical custody.

Custody status was also significantly associated with children's ratings of their fathers' positive parent behaviors and displayed a pattern of relationships similar to that of mothers with primary physical custody. In contrast, fathers with shared physical custody were rated by their children as being equal in parenting competence to fathers with primary physical custody on all dimensions of parenting. Fathers with primary physical custody were rated as displaying better parenting and those with more limited physical custody being associated with substantially diminished ratings of parenting. For

paternal parenting factors of monitoring, discipline and father-child communication, children rated their fathers with sole physical custody and shared custody significantly more positively than fathers with secondary custody.

There are two plausible explanations for the relationship between both mother and father custody and children's ratings of positive parenting characteristics. The first explanation is that when parents are awarded more custody they begin to demonstrate more positive parenting in response, while parents with more limited physical custody do not perform as well due to lower expectations and demands. In short, the greater the demand, the more substantial is their performance. Parents live up or down to the expectations generated by their custodial status. Alternatively, these findings may demonstrate that the BIOC standard allows for judges to make the most educated decisions regarding custody, thereby permitting the court to award custody to the more competent and capable parent. Thus, when a parent receives more limited physical custody, it is because they have demonstrated fewer positive parenting characteristics.

The relationship between custody status and parent ratings has not been examined in empirical literature. Regardless of the underlying reason for the relationship between custody and positive parenting variables, it is clear that these findings support the continued use of BIOC. Either the standard is currently working well and allowing judges to make informed decisions, or parenting changes over time as demands on the parent change as a result of custodial assignments.

Interesting, but non-significant trends in the data may provide important information for future research. For both mothers and fathers, parents with primary or

secondary physical custody showed between group differences between parents at different times post divorce with a negative trend from 2 years after the separation to 15 years post-separation. In contrast, parents with joint physical custody showed a positive trend in between group differences on parent ratings over this same time period. Again, due to the cross sectional nature of the data any trends must be looked at with caution. However, this may indicate that due to the interactional nature of their custodial status, parents with joint or shared physical custody show improvements in their parenting over time while parents with primary or more limited physical custody show diminished parenting over this same timeframe.

In contrast, the demands of primary physical custody may become more difficult over time, accounting for the deteriorations over time in families in which only one parent, either father or mother, has primary physical custody of the children. Research had shown lower variability in parenting when two parents are present (e.g. Hetherington, Cox & Cox, 1979). This research has indicated that when two parents are present there is an ability to offset acute or prolonged reductions in parenting effectiveness. In other words, when both parents stay involved in the child's life one parent can pick up the slack if the other parent is unable to maintain a high level of parenting. Additionally, Hetherington and Stanley-Hagan (1995) pointed out the benefits of maintaining a positive co-parenting relationship between ex-spouses. They note that this can significantly improve child outcomes by improving parenting.

Parents with more limited physical custody become increasingly disengaged in their parenting roles over time. This trend toward increasing diminution of parenting

effectiveness over time may speak to the evolving and volatile nature of parenting in divorce and the influence of custody arrangements on future parental engagement. The assignment of more restricted parenting roles and more limited parenting responsibilities may alienate and distance a parent from his or future relationships with his or her children.

Future research is clearly needed to determine if trends seen here represent real interaction between custody arrangements and parenting effectiveness over time and not simply between group differences. If, under greater empirical scrutiny, these relationships are substantiated then the consistency of parenting is in doubt. This might also be interpreted to mean the foundations of the Approximation Rule are weak.

The absence until recently of psychometrically valid measures of parenting and co-parenting in divorce have severely limited the existence of empirical research linking parenting and co-parenting practices with custody types and, subsequently, with child outcomes. The current research is the first of its kind and has allowed researchers to empirically examine the merits of the Approximation Rule and BIOC and is a preliminary effort in providing scientific support for policy decisions.

The Approximation Rule is too rigid and does not consider the impact of a physical custody on subsequent parenting behavior. Parenting behaviors are not a constant. They appear to evolve over time and may be impacted by the demand placed on the parent. Further, the Approximation Rule does not consider the possible power dynamic associated with awarding exclusive decision-making and primary child-caring roles. Forensic clinical observations indicate that this imbalance in authority may



empower one parent to minimize the input and engagement of the other parent with the child. The results of the study generally indicated that BIOC, as the more flexible standard, is better suited to meeting the needs of divorced families.

There are three important limitations in the study that indicate the need for follow-up studies. First this study was limited by the data sample. The sample did not allow for researchers to examine the first stage in the Divorce Adjustment Process (the period of up to one year post divorce). It has generally been difficult to survey parents and children so soon after divorce. Parents and children are often in a highly distressed state. Often they are involved in divorce-related litigation. Parents do not feel that they have the time or energy to be involved in a study (even one requiring only a questionnaire). Additionally parents may fear that data collected could be used against them in custody litigation. However, in order to determine trajectory from time 1 to time 4 in the Divorce Adjustment Process, it is crucial to recruit a sample which contains individuals in time 1. Additionally the absence of pre-divorce data may represent another limitation in the ability to truly evaluate potential change over time. Future studies may also need to determine the functioning of these families prior to divorce.

Second, this study was limited in its ability to determine any causal relationships between the independent and dependent variables. Future research should focus on designing studies with a wide enough scope to begin to determine the causal direction of the relationships and the underlying mechanisms for change. One of the most critical limitations of this study was the cross-sectional nature of the data set. While cross-sectional data sets are commonly used due to limited time and financial resources,

longitudinal studies are uniquely fitted to the study of individuals change over time (Ware, 1985). In the case of this research question a longitudinal study would provide an advantage over the cross-sectional design in several ways. With a cross-sectional data set, inferences about changes over time can only be made if we assume that “the older group indicates how the younger group will eventually behave. However, this is seldom the case” (Verhulst & Koot, 1991, pp. 362). A longitudinal study would allow for the research to control for threats to validity such as individual’s history and maturation, as well as other factors which may be related to the outcome (Ware, 1985).

Overall, this study represented an important addition to the current debate on BIOC and the Approximation Rule. It provided the first empirical evidence relevant to evaluating the usefulness of the two standards. In this respect the study represented a tangible step forward in the current literature. However, due to the cross sectional design of the study and the inconclusive nature of the findings regarding change over time, longitudinal follow up studies will be necessary.

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## THE CO-PARENTING BEHAVIOR QUESTIONNAIRE- CHILD FORM

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ID# \_\_\_\_\_

Date \_\_\_\_\_

Please give the following information about yourself.

---

1. AGE: \_\_\_\_\_

2. Are you a boy \_\_\_\_\_ or a girl \_\_\_\_\_? (check one)

3. GRADE: \_\_\_\_\_

4. Rate your parents' divorce:

1	2	3	4	5
hard				easy
for you				for you

5. Have you ever talked to a school counselor or psychologist about problems you have had at home, at school, with friends, etc.?    Yes    No

Thank you for answering these questions. On the following pages, you will see sentences that have to do with you and your parents.

---

<sup>1</sup> This instrument is not to be copied without the authors written permission

Following each statement, there is a scale from 1 to 5 (1 = almost never, 3=sometimes, and 5= almost always).

**Circle the number that tells HOW OFTEN this statement happens.** Think about how things have been in the **past 2 months**, or the last school grading period.



1. My parents complain about each other.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

2. My dad tells me bad things about my mom.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

3. My parents argue about money in front of me.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

4. When my parents argue, I feel forced to choose sides.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

5. When my parents talk to each other, they accuse each other of bad things.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

6. My parents talk nicely to each other.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

7. My mom asks me questions about my dad that I wish she would not ask.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

8. I feel caught between my parents.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

9. My dad asks me to carry messages to my mom.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

10. My parents fight about where I should live.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

11. My dad asks me questions about my mom that I wish he would not ask.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

12. My mom wants me to be close to my dad.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

13. When my mom needs to make a change in my schedule, my dad helps.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

14. My parents argue in front of me.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

15. My mom tells me to ask my dad about child support.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

16. It is okay to talk about my mom in front of my dad.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

17. My parents talk to each other about my problems.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

18. It is okay to talk about my dad in front of my mom.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

19. My parents talk to each other about how I feel about the divorce.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

20. My parents talk to each other about my school and my health.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

21. My dad gets angry at my mom.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

22. When my parents talk to each other, they get angry.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

23. My parents talk to each other about big choices in my life.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

24. My parents talk to each other at least once a week.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

25. My mom tells me bad things about my dad.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

26. When my mom needs help with me, she asks my dad.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

27. My mom asks me to carry messages to my dad.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

28. My mom tells me good things about my dad.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

29. My parents talk to each other about the good things I do.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

30. When my dad needs help with me, he asks my mom.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

31. My mom gets angry at my dad.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

32. My dad tells me good things about my mom.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

33. My dad wants me to be close to my mom.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

34. My parents get along well.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

35. My parents yell at each other.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

36. When my dad needs to make a change in my schedule, my mom helps.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
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<b>Almost Never</b>	<b>Sometimes</b>	<b>Almost Always</b>
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## **CBQ - PART B**

37. My dad likes being with me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

38. My mom and I have friendly talks.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

39. My mom asks me about my day in school.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

40. When I do something wrong, my mom talks to me about it.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

41. I feel that my mom cares about me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

42. My dad talks to me about big choices in my life.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

43. I feel that my dad cares about me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

44. I spend time doing fun things with my mom.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

45. My mom knows who my friends are and what they are like.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
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<b>Almost Never</b>	<b>Sometimes</b>	<b>Almost Always</b>
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46. My mom knows what kinds of things I do after school.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

47. My mom likes being with me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

48. I talk to my mom.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

49. I have chores to do at my dad's house.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

50. My dad says he loves me and gives me hugs.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

51. When I leave the house, my dad knows where I am and who I am with.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

52. If I have problems in school, my dad knows about it.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

53. When I break one of my mom's rules, she punishes me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

54. My dad asks me about my day in school.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

55. My dad knows who my friends are and what they are like.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

56. My dad knows what kinds of things I do after school.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

57. I have chores to do at my mom's house.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

58. When I leave the house, my mom knows where I am and who I am with.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

59. My mom talks to me about big choices in my life.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

60. If I have problems in school, my mom knows about it.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

61. When I do something wrong, my dad talks to me about it.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

62. My dad praises me when I do something good at home or at school.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

63. I talk to my mom about my problems.



<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

64. If I get in trouble at school, my mom punishes me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

65. My mom says nice things about me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

66. I spend time doing fun things with my dad.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

67. My dad knows who my teachers are and how well I am doing in school.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

68. I have rules to follow at my dad's house.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

69. I talk to my dad.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

70. I talk to my dad about my problems.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

71. My dad says nice things about me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

72. I have rules to follow at my mom's house.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

73. My dad and I have friendly talks.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

74. When my dad says he is going to punish me, he does it.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

75. My mom knows who my teachers are and how well I am doing in school.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

76. When I break one of my dad's rules, he punishes me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

77. My dad talks to me about my friends.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

78. My mom talks to me about my friends.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

79. My dad is patient with me.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

80. I talk to my mom about things that I do well.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Almost Never</b>		<b>Sometimes</b>		<b>Almost Always</b>

81. My mom praises me when I do something good at home or at school.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

82. My mom says she loves me and gives me hugs.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

83. If I get in trouble at school, my father punishes me.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

84. My mom is patient with me.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

85. I talk to my dad about things I do well.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

86. When my mom says she is going to punish me, she does it.

1	2	3	4	5
Almost Never		Sometimes		Almost Always

## Demographics Questionnaire

Please provide the following information about yourself and your child. All information will be kept confidential. This information will be used for research purposes only and your name will not be associated with the data. On this form, when we refer to “the child,” we are indicating the child who will be participating in the study.

1. What is your relationship to the child? (If you are completing this form, you should be the mother or father) \_\_\_\_\_
2. Age of the child (the child who will be completing questionnaires) \_\_\_\_\_
3. The child’s gender MALE/FEMALE
4. Child’s race/ethnicity \_\_\_\_\_
5. The child’s grade in school \_\_\_\_\_
6. Is the child receiving any special services at school? (for example, services for a learning disorder, a behavior disorder, mental retardation, remedial classes, advanced/honors/gifted classes, etc.) YES/NO  
If yes, please describe these services. \_\_\_\_\_
7. To the best of your memory, what were your child’s grades during the last school grading period? If the child receives a GPA, report it here \_\_\_\_\_

If there is no GPA, please mark one of the following, or write in a summary of the grades your child received

\_\_\_\_\_ mostly or all A’s

\_\_\_\_\_ a mix of A’s and B’s

\_\_\_\_\_ mostly B's and C's

\_\_\_\_\_ mostly C's with a couple of higher grades

\_\_\_\_\_ all C's, D's and F's

\_\_\_\_\_ all D's and F's

If you child's grades do not fit into one of the categories above, please describe

\_\_\_\_\_.

8. Is the child currently receiving any psychological services or counseling?

YES/NO

Please describe \_\_\_\_\_.

9. When were you divorced from the child's other parent? (please give year if possible) \_\_\_\_\_

10. How old was the child when you separated? \_\_\_\_\_

11. Does the child live in your house at least half of the time? YES/NO

12. Please tell us about your custody arrangements for the child in question:

a. Who has legal custody? MOTHER FATHER JOINT

b. Who has physical custody? MOTHER FATHER JOINT

c. Which parent does the child spend the most time with?

MOTHER FATHER JOINT

How is the child's time split between his/her mother and father? (for example, the child might live primarily with the mother, and see the father on weekends: the child might live with the father and rarely see the mother; the child might alternate living with the mother one week and the father the next week).

Please be specific in how often the child sees the non-custodial parent if there is one.

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13. in a one-month period, how many nights does the child sleep at his/her mother's house? \_\_\_\_\_

a. at the fathers house? \_\_\_\_\_

14. Have you remarried since the divorce? \_\_\_\_\_

Has your ex-spouse (the child's other parent) remarried? \_\_\_\_\_

15. Was your divorce from the child's parent your first divorce? \_\_\_\_\_

How many time shave you been divorced? \_\_\_\_\_

16. In the past year, have you and your ex-spouse been involved in any legal proceedings related to custody, visitation, or child support issues? YES/NO

Did you go to court over this matter? YES/NO

17. Please estimate your annual household income \_\_\_\_\_

If you are not the primary caregiver of the child, can you provide the approximate annual income for the primary caregiver's household? \_\_\_\_\_

18. Please list the child's siblings and step-siblings. You do not have to provide names. Just provide a list indicating "brother, sister, step-brother, or step-sister" and the age of each person.

<u>Relation</u>	<u>Age</u>	<u>Where does this person live</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>



## Vita

Elizabeth Meghan Archer was born on March 19<sup>th</sup>, 1984, in Norfolk, Virginia. She graduated from Norfolk Collegiate High School in 2002. She received her Bachelor of Arts in Psychology with a minor concentration in Sociology from the College of William and Mary, Williamsburg, Virginia in 2006.